

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

July 31, 1998

(Published August 8, 1998,
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

July 31, 1998 - 9:30 a.m.

President Cherryhomes in the Chair.

Present - Council Members Johnson,

Ostrow, Thurber, Campbell, Biernat, Niland,

Goodman, Colvin Roy, Herron, Mead, Minn,

McDonald, President Cherryhomes.

Campbell moved approval of the minutes of
the regular meeting of July 17, 1998.

Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and
communications and reports of the City officers
to proper Council committees and departments.

Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT:

PLANNING COMMISSION/DEPARTMENT
(263970)

Second & Second Housing Project:

Comments on proposed Modification No. 59 to
Common Plan & Modification No. 16 to North
Loop Redevelopment Plan.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263971)

Children's Health Care (Children's
Hospitals & Clinics): Preliminary approval to

issue up to \$21,000,000 in bonds for various
Children's projects, including expansion of
parking ramp at corner of 25th St & 10th Ave.

Lot Division: 609 & 613 - 23rd Ave N.

Hyatt/Whitney Hotel/Standard Mill Ltd

Partnership Project (150 Portland Ave S):

Final approval to issue bonds for renovation &
payment of back real estate taxes.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

ATTORNEY (263972)

Mann Theatre/Stimson Building:

Recommendations relating to terms of
Settlement Agreement re condemnation or
issuance of demolition permits.

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263973)

SEMI Phase I Project: Modifications to
Redevelopment Contract & related documents.

Hawthorn Crossings Phase II: Request for
appropriation increase to share soil correction
costs with developer.

Grain Belt 1906 Historic Bottling House
Building: Request for funds for rehabilitation.

COORDINATOR (263974)

Portland Place Project: Authorize
application to US Department of Housing &
Urban Development for Economic
Development Initiative Funds.

COMMUNITY DEVELOPMENT and ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT
(263975)

Affordable Housing Policy Resolution:
Comments w/attached Definitions for

Affordable Housing, Housing Principles, & Housing, Shelter & Support Services for Homeless Single Adults, a Partnership Proposal.

INTERGOVERNMENTAL RELATIONS

(See Rep):

LIAISON/FEDERAL, LOCAL AND STATE (263976)

Redevelopment District for Lake Street Project (Sears): Grant local approval to Minn Laws 1998, Chapter 389.

Civilian Police Review Authority, executive director: Grant local approval to Minn Laws 1998, Chapter 393.

Housing Transition District: Grant local approval to Minn Laws 1997, Chapter 231.

Property Tax Study Project: Continue City's participation in Project, & approve technical amendment to fund consultant for Project.

PLANNING COMMISSION/DEPARTMENT (263977)

Census 2000: Recommend establish Minneapolis Complete Count Committee; 2nd Quarter report.

INTERGOVERNMENTAL RELATIONS and PS&RS, T&PW, W&M/BUDGET & Z&P:

COUNCIL MEMBER MEAD (263978)

Conduct & Ethics in City Government Document.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (263979)

Disease Surveillance Services: Execute agreement with Hennepin County to fund continuation of conducting surveillance of state-mandated reportable diseases and disease clusters or outbreaks, etc.

Project LID (Lower Infant Deaths): Amend report passed 6/26/98 to correct total contract amount for half-time public health nursing services for remainder of calendar year 1998.

INSPECTIONS DEPARTMENT (263980)

Raze Buildings: Approve owner requested demolitions for 4003 Fremont Av N (Ward 4) and 2910 Grand Av S (Ward 6).

LICENSES AND CONSUMER SERVICES (263981)

Licenses: Applications.

POLICE DEPARTMENT (263982)

FBI Fugitive Task Force: Renew and Execute Amendment #4 to Contract #3834 to provide one Minneapolis police officer for period 10/1/98 through 9/30/99; FBI Safe Streets Task Force: Renew and Execute Amendment #3 to Contract #3786 to provide one Minneapolis police officer for period 10/1/98 through 9/30/99.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/ BUDGET (See Rep):

POLICE DEPARTMENT (263983)

Community Service Officer Program: Execute contract with employees hired as Community Service Officers whereby City will provide tuition costs in the form of a loan, to be considered satisfied when employee has completed two years of service as a Minneapolis police officer.

Safe and Sober Grant: Submit grant application to State Department of Public Safety, Office of Traffic Safety, seeking \$40,000 for traffic enforcement overtime to increase driver safety and reduce accidents.

COPS Methamphetamine Initiative:

Submit grant application to US Department of Justice, Office of Community Oriented Policing Services, seeking \$75,000 for developing innovative strategies to combat methamphetamine production and distribution.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

DOWNTOWN COUNCIL (263983.1)

Nicollet Mall Advisory Board: Addition of one voting member who is an owner of residential property/condominium units within the Nicollet Mall Assessment District.

PUBLIC WORKS AND ENGINEERING (263984)

Railroad Ordinance: Amendment to delete five minute restriction on blocking of streets and bike/trails paths.

Richard Green School Transportation Study: Consultants report and safety improvement recommendations including establishment of school zone speed limit and flashers on 4th Av S.

Kenilworth Trail Project: Transfer of City's share of construction costs to MnDOT & recommendation to award state bid to low responsive bidder.

Midtown Greenway Trail Project:
Agreement with Canadian Pacific Trail System to allow for placement of trail on easement with Hennepin County Regional Rail Authority.

Lyn/Lake Parking Advisory Committee:
Appointment of business, neighborhood and City representatives.

PUBLIC WORKS AND ENGINEERING (263985)

Roadway Maintenance Agreement:
Agreement with MnDOT for City receipt of funding for routine maintenance on City trunk highway system.

Royalston Av Bridge Project: Supplemental agreement to consultant contract with VanDoren Hazard Stallings increasing contract for design modifications.

Dinkytown Bikeway Connection:
Agreement with MnDOT for bridge design services to convert railroad bridge into bicycle/pedestrian facility for commuter bike traffic.

Hennepin/Lyndale Realignment Project:
Agreement with MnDOT for design services for a retaining wall between I-94 exit ramps.

PURCHASING (263986)

Bids: Accept OP #4917, low bid of M. C. Magney Construction, Inc. for construction of Kenwood Pump Station; OP #4765, authorize purchase of additional industrial forklift truck from Bennett Material Handling.

SENIOR OMBUDSMAN (263987)

Special Assessment Deferral: Request of Grace E. Franklin of 1061 23rd Av SE for deferral of water line repair special assessment.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (263988)

Cedar Isles Dean Neighborhood Traffic Calming: Installation of speed humps on Burnham Road between Cedar Lake Parkway and Burnham Bridge.

29th St Midtown Greenway, Phase I: Cost sharing agreement with Hennepin Community Works and Hennepin County Regional Rail Authority.

1998 Street Renovation Program (Regina-Field & E 42nd St, Stevens Av S & 2nd Av S): Request Board of Estimate and Taxation to issue and sell special assessment bonds.

Chiller Replacement at Public Service Center: Change orders to contract with Doody Mechanical.

1221 W Lake St (former J. Kline property): Declare property no longer needed by City, authorize property to be marketed by MCDA, and direct sale proceeds to Public Works Facilities Project; Comments: Permanent Review Committee.

Public Works Capital Improvement Program: Report on process, appropriation adjustments for close-out of completed projects, and recommendation to set aside future capital funds to address past project shortfalls.

WATER DEPARTMENT (263989)

Risk Management Plans: Issue Request for Proposals to develop risk management plans related to chemical use at Minneapolis filtration plants.

WAYS AND MEANS BUDGET:

ATTORNEY (263990)

Legal Services: Update on Cutler & Stanfield Contract.

ATTORNEY (263991)

Staff Purchasing Letters: Receive and File.

COORDINATOR (263992)

Shubert Theater: Information relating to relocation.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (263993)

United States Department of Labor Audit of Police Identification Division: Determined Forensic Scientist I, II and III positions were non-exempt; Approved back overtime pay.

Settlement: Approve payment, Anne Himell vs. City lawsuit. Legal Services Agreement: Agreement with Jeffrey R. Brauchle.

CONVENTION CENTER (263994)

Maintenance and Warranty Management Services: Contract with Wallace Dube.

COORDINATOR (263995)

Cities Labor Management Partnership Program: Approve City participation.

Convention Center Expansion Project: Contracts with American Engineering Testing and Braun Intertec Corporation.

Convention Center Expansion Project: Contract with Convention Center Design Group.

Convention Center Expansion Project:
Project Labor Agreement with Minneapolis
Building and Construction Trades Council.

Convention Center Expansion Project:
Contract with Bolton and Menk, Inc.

Green Institute Phillips Neighborhood Job
Creation Project: Accept grant from State.

FINANCE DEPARTMENT (263996)

Workers Compensation, Special
Compensation Fund: Semiannual Assessment
to State.

Bid: OP #4907, Accept only bid of Mid
West Industrial Service Corporation.

HEALTH AND FAMILY SUPPORT
SERVICES (263997)

Minnesota City Grant: Accept funds.

HEALTH AND FAMILY SUPPORT
SERVICES (263998)

Yellow Brick Road Project: Approve &
Issue Fund Availability Notice to Project for
Pride in Living, Inc.

MAYOR (263999)

Fire Chief Annual Salary: Set salary.

ZONING AND PLANNING:

PLANNING COMMISSION/DEPARTMENT
(264000)

Comprehensive Plan: Excerpts.

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT
(264001)

Block E: Letter of 6/29/98 recommending
Negative Declaration w/attached Revised Draft
of Findings of Fact and Record of Decision
report for Environmental Assessment
Worksheet (EAW) supporting a Negative
Declaration; Letter of 7/29/98 w/attached
Proposed Alternative Sections V. to VIII. for the
Findings of Fact and Record of Decision report
for EAW supporting a Positive Declaration;
Letter from Leonard, Street and Deinard
expressing Brookfield's concern regarding
delays in EAW processing; Letter from MCDA
to Leonard, Street and Deinard regarding
reassignment of Redeveloper's interest to
Brookfield.

PLANNING COMMISSION/DEPARTMENT
(264002)

Rezoning:

Michael Hudalla dba Trackstar
Motorsports, Inc (2610 E 32nd St) from M2-2 to
B3C-1; Findings.

William J Senkyr (4817-19 Chicago Av S)
from R2B to B1-1; Findings.

Alive in Christ Ministries (2010 Fremont Av
N) from B3SP-2 to B3S-1; Findings.

Zoning Code Text Amendment: Amending
Title 20, Chapter 522 of the Minneapolis Code
of Ordinances relating to ZoningCode: In
general, concerning access to commercial
property; Findings.

Planning Commission: Summary of
actions taken at 7/13/98 meeting relating to
Trackstar, Wm Senkyr, Alive in Christ
Ministries, & Access to Commercial property
zoning code amendment..

MOTIONS (See Rep):

ATTORNEY (264003)

Workers Compensation: Payments to City
employees.

FILED:

CITY CLERK/SPECIAL PERMITS
(264004)

1st Av N, 600, parking lot across the street
from (KEEY-K102 Radio) tent; 1st Av S, 2523
(Southside Neighborhood Housing) move
house; 3rd St & Nicollet Mall (Ogden
Entertainment) inflatables; volleyball; 8th St &
Nicollet Mall (Douglas Flatean) fundraising
photo booth; 18th Av S, 2742 (George B
Guthrie) waive full basement requirement; 43rd
& Upton Av S (Linden Hills Business Assn)
pony rides; Boom Island (Maslon Firm) pony
rides; Cedar/Riverside area (Tom Clancy)
Cedarfest; Lagoon Av S, 1300 (Gruppo) sign;
Lake St W, 2626, parking lot next to (Weisman
Enterprises) petting zoo; Lyndale Av S, 2225
(Gina M Vermilyea) parking lot sale; University
Av SE, 2650 (Cafe' Prague) outdoor art fair &
sale.

FINANCE DEPARTMENT (264005)

Investment Management System &
Reconciliation Report thru June 30, 1998.

LIBRARY, MINNEAPOLIS PUBLIC
(264006)

Comprehensive Annual Financial report, 1997
MINNESOTA STATE OFFICES (264007)
Orpheum & State Theatres, Audit report for
year ended 12/31/97.

COUNCIL MEMBER OSTROW (264008)

Proposed ordinance amending Title 20,
Chapter 525 of the Minneapolis Code of
Ordinances relating to ZoningCode:
Administration and Enforcement, relating to lot
size for two-family dwellings.

Reports of Standing Committees

Council Member Niland moved to suspend the rules for the purpose of considering the Community Development and Zoning & Planning Committee report relating to an Affordable Housing Policy. Seconded.

Adopted upon a voice vote.

The **Community Development and Zoning & Planning** Committees submitted the following report:

Comm Dev & Z&P – Your Committee, to whom was referred back on June 26, 1998, a resolution adopting an Affordable Housing Policy for the City of Minneapolis, and having held further discussion thereon, now recommends passage of the accompanying resolution.

Niland moved to substitute a new resolution for the above-mentioned resolution. Seconded.

Adopted upon a voice vote.

Minn moved to delete the first “Whereas” paragraph which reads:

“Whereas, it is the goal of the City of Minneapolis that all of its citizens live in safe, decent, affordable housing. In particular, the City recognizes the critical role that government serves in providing access to housing for its lowest income citizens. For purposes of this policy, the term “affordable housing” is defined as housing for which a household pays no greater than 30 percent of its income. This policy is targeted at assisting Minneapolis families whose incomes are at or below 30 percent of the Metropolitan median income (30 percent of the current Metropolitan median income is \$18,200 for a family of four); and”

and insert in lieu thereof the following language:

“Whereas, it is the goal of the City of Minneapolis that all of its citizens live in safe, decent, affordable housing. In particular, the City recognizes the critical role that government serves in providing access to housing for its lowest income citizens. This policy recognizes the crisis facing Minneapolis families whose income is at or below 30 percent of the metropolitan median income; and.” Seconded.

Adopted. Yeas, 8; Nays, 5 as follows:

Yeas – Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Minn, Cherryhomes.

Nays – Niland, Goodman, Herron, Mead, McDonald.

Niland withdrew as author of the resolution.

Campbell moved to delete the paragraph that reads:

“That the City of Minneapolis hereby directs the Minneapolis Community Development Agency (MCDA) to develop strategies and resources to increase affordable housing production. As one measure to increase the amount of resources available for affordable housing production, the City of Minneapolis shall establish an Affordable Housing Trust Fund to be administered by the MCDA to provide a source of funding for the production and rehabilitation of housing for households at or below 30 percent of the metropolitan median income. For purposes of the Affordable Housing Trust Fund, production of housing can include the development or rehabilitation/preservation of affordable rental housing and home ownership opportunities, and the provision of rental subsidies.”

and insert in lieu thereof a new paragraph to read as follows:

“That the City of Minneapolis hereby directs the Minneapolis Community Development Agency (MCDA) to develop strategies and resources to increase affordable housing production. As one measure to increase the amount of resources available for affordable housing production the City of Minneapolis shall establish and fund an Affordable Housing Trust Fund in the Consolidated Plan to be administered by the MCDA to provide a source of funding for the production and rehabilitation of housing. The MCDA shall be directed to prioritize housing for households at or below 30 percent of the metropolitan median income. For purposes of the Affordable Housing Trust Fund, production of housing can include the development or rehabilitation/preservation of affordable rental housing and homeownership opportunities, and the provision of rental subsidies.” Seconded.

Adopted upon a voice vote.

Mead withdrew as co-author of the resolution.

Herron moved to refer the resolution back to the Community Development and Zoning & Planning Committees. Seconded.

Lost upon a voice vote.

Niland moved that the Council resolve itself into a Committee of the Whole for the purpose of allowing three members of the Affordable Housing Coalition to speak on the issue of Affordable Housing. Seconded.

Adopted. Yeas, 11; Nays, 2 as follows:

Yeas – Thurber, Ostrow, Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Mead, McDonald, Cherryhomes.

Nays – Johnson, Minn.

The Committee of the Whole convened at 10:47 a.m.

Vice President Biernat assumed the Chair.

Minn moved to limit each speaker to three minutes. Seconded.

Adopted upon a voice vote.

Campbell moved that the Committee of the Whole rise and report its findings to the Council relating to the Affordable Housing Policy. Seconded.

Adopted upon a voice vote.

The Council reconvened at 11:05 a.m.

President Cherryhomes resumed the Chair.

Present – Council Members Johnson, Ostrow, Thurber, Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Mead, Minn, McDonald, President Cherryhomes.

Mead moved to delete the paragraph that reads:

“That it shall be the goal of the City of Minneapolis to create 750 affordable housing opportunities each year for the next 15 years. (This annual goal is based on addressing 5 percent of the identified need for 14,776 units of affordable housing as identified in the 1995 City of Minneapolis Consolidated Plan.) In counting progress towards this goal, the City may count new affordable home ownership opportunities, preservation of existing housing, the creating or preservation of supportive housing, rental subsidies and affordable rental production. Nothing in this policy shall be implemented in such a fashion as to further patterns of economic and racial segregation.”

and insert in lieu thereof a new paragraph to read as follows:

“The City of Minneapolis directs the MCDA to develop strategies and define resources needed to increase affordable housing production. The Mayor and City Council shall establish a Task Force to assist in the development of this strategy with input from key sectors from the housing industry (private,

non – profit and state, regional, county, and local public agencies), service industry, representatives from community organizations that serve low income people and low income residents.” Seconded.

Adopted. Yeas, 8; Nays, 5 as follows:

Yeas – Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Minn, Cherryhomes.

Nays – Niland, Goodman, Herron, Mead, McDonald.

Ostrow moved to delete the paragraph that reads:

“That the City of Minneapolis hereby requires that at least 20 percent of all publicly assisted new housing developments of 10 units or more must be affordable to families at or below 30 percent of the Metropolitan median income. In addition, all publicly assisted rental projects must accept the use of Section 8 rental assistance or other support programs used to support rental rates.”

and insert in lieu thereof a new paragraph to read as follows:

“That the City of Minneapolis, on an annual basis, shall require that at least 20 percent of all publicly assisted housing developments of 10 units or more, either rental or ownership, shall be affordable to families at or below 30 percent of the metropolitan median income. All publicly assisted rental projects must accept the use of Section 8 rental assistance either by site-based or portable certificate. Only developments of 10 units or more are subject to the 20 percent requirement.” Seconded.

Adopted upon a voice vote.

Thurber moved to delete the paragraph which reads:

“That the City of Minneapolis will make it a high legislative priority to lobby for:

A. Increased funding for the production of affordable housing metro-wide;

B. Greater federal resources to address affordable housing needs, including expanding the Low Income Housing Tax Credit Program and raising limits;

C. A replacement housing policy region-wide;

D. An inclusionary zoning policy region-wide”

and insert in lieu thereof a new paragraph to read as follows:

“That the City of Minneapolis will make it a high legislative priority to lobby for increased

Federal and State funding for the production of affordable housing metro-wide. The City of Minneapolis will actively promote a fair, affordable housing policy through its membership in regional and metropolitan organizations and its government affairs activities at the legislature." Seconded.

Campbell moved to amend Thurber's motion to add the language "and also for the strengthening of the Livable Communities Act" after the language "production of affordable housing metro-wide." Seconded.

Adopted. Yeas, 8; Nays, 5 as follows:

Yeas – Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Minn, Cherryhomes.

Nays – Niland, Goodman, Herron, Mead, McDonald.

Thurber's motion, as amended, was adopted.

Yeas, 8; Nays, 5 as follows:

Yeas – Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Minn, Cherryhomes.

Nays – Niland, Goodman, Herron, Mead, McDonald.

Mead moved to delete the paragraph that reads:

"That the City establishes, as a legislative priority, the passage of a regional fair housing law that:

A. Gives all communities enforceable goals which will provide for their fair share of the unmet regional need for affordable housing, at subsidized levels, and at 30, 50, and 80 percent of the Metropolitan median income;

B. Reduced barriers to affordable housing in terms of zoning codes, development agreements, and development practices;

C. Ties all sewer, highway, and major infrastructure provision local government aid, distribution of fiscal disparities payment, the ability to use tax-increment financing, and school funding to verifiable goals and measured progress on affordable housing production;

D. Creates a large regional pool of resources to support increased production of affordable housing, increased housing choice, and residential stability throughout the region;

E. Creates a region-wide housing discrimination testing authority to test the discrimination conditions of the regional housing market with emphasis on communities

with the most entry-level jobs and the highest performing school systems";

Mead further moved to delete the paragraph that reads:

"That the City of Minneapolis hereby directs the MCDA to develop procedures to preserve the supply of affordable rental and single family homes serving families at or below 30 percent of the Metropolitan median income (as defined in paragraph 1) by undertaking the following activities and initiatives:

A. Acquisition of tax-forfeited property from Hennepin County for \$1.00 for use in programs such as the collaborative Dollar House project between Minnesota ACORN and U.S. Bank. (The Dollar House project will allow families to buy homes for \$1.00 after qualifying for a rehab-purchase mortgage which can provide up to \$60,000 to bring the property up to lenders' property standards);

B. Implementation of strategies for early intervention to maintain the quality of Minneapolis housing stock and to prevent demolition (including, but not limited to, putting in place systems that provide early warning of housing stress such as the system being developed in the Central neighborhood and seeking legislatively to shorten the redemption period);

C. Prioritization and allocation of resources for housing rehabilitation over demolition;

D. Expanded funding for rehabilitation and preservation programs targeted toward housing that is affordable to and serving families with incomes at or below 30 percent of the Metropolitan median income";

Mead further moved to delete the paragraph that reads:

"That the City hereby establishes the following criteria for publicly assisted projects involving demolition or loss of affordable housing:

A. The project must include adequate relocation assistance for tenants who are displaced in accordance with current state and federal law;

B. Within one year of the project, a specific plan must be approved to replace all lost units that were serving families at or below 30 percent of Metropolitan median income;

C. The project must, to the maximum extent possible, offer displaced tenants a choice in geographic areas for relocation;

D. In impacted areas (census tracts where 33 percent or more of the residents are below the poverty line as updated based on the most recent data available), where practicable, replacement units shall emphasize homeownership opportunities;

E. This replacement housing policy shall only apply if there is a shortage of housing for extremely low-income households as set forth in the City's most recent Consolidated Plan;

F. All units replaced under the application of this policy must be affordable to households, at or below 30 percent of the Metropolitan median income;

G. In providing replacement housing units hereunder, the City shall have flexibility to replace bedrooms based on the greatest need (as set forth in the City's most recent Consolidated Plan) (i.e. the City may replace two one-bedroom demolished units with one two-bedroom or larger unit unless there is a demonstrated shortage of SRO or one-bedroom units)";

Mead further moved to delete the paragraph that reads:

That the City establishes a "Minneapolis Affordable Housing Task Force" to undertake the following activities:

A. Develop short-term and long-term strategies and timelines to accomplish each of the Affordable Housing Policies;

B. Recommend, based on the City's Consolidated Plan and other relevant documents, an appropriate mix of rehabilitation, subsidies, and new construction, rental and ownership, to achieve the City's goal of producing or preserving 750 affordable housing opportunities each year for City households with extremely low incomes. Identify resources and recommend strategies for funding to accomplish this goal;

C. Develop recommendations for funding the Affordable Housing Trust Fund (established under paragraph [1] as a source of funding for production and rehabilitation of affordable housing;

D. Develop strategies for the preservation of existing affordable rental and owner occupied housing. The Task Force will look at existing policy and procedures and make recommendations for modification as needed. The Task Force will recommend strategies for early intervention to support both families at risk and the quality of the City's housing stock;

E. Develop recommendations and specific strategies for funding the goals and outline local, state, and federal actions that may require special legislative action by the City;

F. Develop recommendations for reducing the amount of Community Development Block Grant (CDBG) funds expended on the demolition of housing; explore and recommend procedures to more greatly involve the participation of citizens, in particular, low-income citizens, in the annual process to determine how CDBG funds are expended for the fiscal year; and identify and recommend procedures to reduce the administrative costs for the CDBG program and commit the resulting savings to affordable housing production and rehabilitation;

G. Design and make publicly available semi-annual performance reports regarding progress on meeting the City's affordable housing needs;

H. Develop short-term and long-term strategies for improving the security and management of affordable rental housing in Minneapolis.

The City Council shall appoint the members of the Task Force to include the Executive Director of the Association of Metropolitan Municipalities, representatives of major housing funding organizations and institutions such as Low Income Support Corporation (LISC), advocacy organizations, neighborhood organizations, and at least three residents of affordable housing, and a representative from the City Council, the MCDA, and the City Planning Commission. The Task Force shall begin meeting by no later than August 21, 1998 and shall issue an initial set of policies and recommendations for consideration by the City Council by no later than November 1, 1998";

and insert a new paragraph to read as follows:

"That the City establishes a "Minneapolis Affordable Housing Task Force" to undertake the following activities:

A. Recommend short-term and long-term goals for the expansion of affordable housing opportunities with specific timelines for implementation. The goals developed shall include strategies for housing opportunities for family household income ranges of "80 percent to 60 percent of the area median;" "60 percent to 30 percent of the area median income;" and

"below 30 percent of the area median income." The Task Force shall also include strategies for implementing locational choices which will serve to reduce poverty concentrations and support the community schools initiative.

B. Develop strategies for the preservation of existing affordable rental and owner occupied housing. The Task Force will look at existing policies and procedures and make recommendations for modification as needed. The Task Force shall work with Hennepin County to recommend strategies for early intervention to support both families at risk and the quality of the City's housing stock;

C. Develop recommendations for funding the Affordable Housing Trust Fund (established under paragraph [1] as a source of funding for production and rehabilitation of affordable housing);

D. Develop recommendations for improving the security, management, and processes for ensuring tenant responsibility in affordable housing;

E. Develop strategies for the preservation of existing affordable rental and owner occupied housing. The Task Force will look at existing policy and procedures and make recommendations for modification as needed. The Task Force will recommend strategies for early intervention to support both families at risk and the quality of the city's housing stock;

F. Develop recommendations and specific strategies for funding the goals and outline local, state, and federal actions that may require special legislative action by the City;

G. Develop recommendations for procedures for preserving affordable rental and single family homes serving families at or below 30 percent of the metropolitan median income. The Task Force should consider the following: early intervention and early warning of housing stress to minimize demolition;

The City Council and Mayor shall appoint the members of the Task Force. The open appointments system shall be used for membership. The Task Force shall be comprised of no more than 21 members. The Mayor shall appoint the Chair and seven members. The Council shall appoint 13 members with representation from all caucuses;

Membership must be balanced between representatives from the following disciplines:

banking/finance; housing advocacy; property developers for profit and not for profit; Minneapolis residents of affordable and market rate housing; and common, regional organizations, such as, but not limited to, AMM, North Metro Mayors, Minneapolis Board of Realtors, Minneapolis School Board, Met Council, etc.";

Mead further moved to delete the paragraph which reads:

"That as a means of accomplishing its goal of increased affordable housing production and to achieve its 20 percent affordable new production requirement (as provided in paragraph [3]), the City shall, where practicable, pursue the following inclusionary zoning strategies:

The City shall allow a density increase up to 25 percent above the normal density permitted. The overall affordability rate is closely related to the density bonus that can be achieved, given any physical constraints on the land.

The purpose of giving this density bonus or increase to the housing developer is as a reward for providing affordable housing units. The density bonus is designed to preclude developers from losing opportunities to build market rate units and to help offset the production costs of providing the "set aside" affordable units. In effect, the density bonus creates free additional lots on a parcel of land and the additional units constructed carry no land costs";

Mead further moved to delete the paragraph that reads:

"That the City of Minneapolis shall direct the City Attorney and MCDA to explore filing an amicus curiae brief in support of the Preservation Law Project suit challenging an owner's right to prepay their federally subsidized mortgages. A current example of the danger that prepayment poses to the City's affordable housing stock is Oak Grove Towers";

Mead further moved to delete the paragraph that reads:

"This policy is effective upon date of enactment and applies to projects approved by the City Council after that date;"

and insert in lieu thereof a new paragraph to read as follows:

"This policy is effective upon completion of the work of the Task Force and adoption of

their final report by the Minneapolis City Council and accepted by the Mayor”;

Mead further moved that the paragraphs and subsections be renumbered and realphabetized accordingly. Seconded.

Mead’s motions, as amended, were adopted.

Yeas, 8; Nays, 5 as follows:

Yeas – Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Minn, Cherryhomes.

Nays – Niland, Goodman, Herron, Mead, McDonald.

Goodman withdrew as co-author of the resolution.

Cherryhomes called the question on adoption of the resolution, as amended.

Campbell, Minn, Ostrow, Biernat, Johnson and Thurber requested that their names be added as co-authors of the resolution.

The report, as amended, was adopted.

Yeas, 9; Nays, 3 as follows:

Yeas – Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Herron, Minn, Cherryhomes.

Nays – Niland, Goodman, Mead.

Declining to vote – McDonald.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-281
By Cherryhomes, Herron,
McDonald, Campbell,
Minn, Ostrow, Biernat,
Johnson, Thurber

Adopting an Affordable Housing Policy
for the City of Minneapolis.

Whereas, it is the goal of the City of Minneapolis that all of its citizens live in safe, decent, affordable housing. In particular, the City recognizes the critical role that government serves in providing access to housing for its lowest income citizens. This policy recognizes the crisis facing Minneapolis families whose income is at or below 30 percent of the metropolitan median income; and

Whereas, Minneapolis has many persons who work full-time at the minimum wage, earning only \$10,712 annually before taxes, as

well as many employers who do not offer full-time work, leaving many City residents with incomes inadequate to afford decent and safe housing and creating instability for families, children in school, and persons trying to make the transition from welfare to work; and

Whereas, there is a serious shortage of affordable rental housing in Minneapolis and in the region. This shortage creates severe hardships for low-income families and their children, and for vulnerable single adults. This problem is an important contributing factor to homelessness and is likely to undermine efforts to help families move from welfare to work. The lack of rental housing affordable to low and very low-income families, coupled with the lack of adequate public transportation, will make it more difficult for employers to attract and retain productive workers. In addition, this shortage of affordable housing is forcing many families to move frequently and, thus, is contributing to children’s inability to perform well in school; and

Whereas, the current rental housing market has an extremely low vacancy rate of 1.8 percent. This tight housing market has allowed rents to rise significantly faster than incomes, causing housing to be less affordable for more families. In addition, with the elimination of public housing units, and with the increasing conversion of privately held subsidized, Section 8 housing units to market rate rents and above, there are fewer housing options for families who rely on housing subsidies to afford housing. Displaced tenants (especially families with children) have found great difficulty in finding alternative housing that meets their needs, even with financial help. The net loss of units further reduces the overall supply and creates hardships for other tenants in the system; and

Whereas, Minneapolis is currently experiencing a net loss of affordable housing; and

Whereas, the City’s Minneapolis Plan and draft Housing Principles calls for an increase in the supply of affordable housing for all incomes, providing greater housing choices. This is important both for the well being of families and children and the economic and social health of the region. Housing choice is especially important to low-income families who are the most constrained in their ability to choose housing; and

Whereas, Minneapolis has a proven track record of policies and programs that produces new housing, preserves previously subsidized housing and improves existing housing; and

Whereas, Minneapolis supports policies and programs that build new affordable housing for low and very low-income households, and that preserve and improve existing low-income housing stock, especially existing subsidized housing and housing that offers locational choice to low-income people; and

Whereas, commercial corridor and commercial node revitalization has emerged as a priority in neighborhood planning through the Neighborhood Revitalization Program (NRP), which calls for a greater emphasis on mixed-use development strategies that integrate moderate to high density housing with commercial and office use to enhance commercial and transit corridors; and

Whereas, the 1995 City of Minneapolis Consolidated Plan provides that the City has a shortage of approximately 14,776 housing units affordable to households with incomes at 30 percent of the Metropolitan median family income; and

Whereas, the lack of affordable housing is a national crisis, and solutions must be sought at the federal, state, and regional level as well as at a City level;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

1. That the City of Minneapolis hereby directs the Minneapolis Community Development Agency (MCDA) to develop strategies and resources to increase affordable housing production. As one measure to increase the amount of resources available for affordable housing production the City of Minneapolis shall establish and fund an Affordable Housing Trust Fund in the Consolidated Plan to be administered by the MCDA to provide a source of funding for the production and rehabilitation of housing. The MCDA shall be directed to prioritize housing for households at or below 30 percent of the metropolitan median income. For purposes of the Affordable Housing Trust Fund, production of housing can include the development or rehabilitation/preservation of affordable rental housing and homeownership opportunities, and the provision of rental subsidies.

2. The City of Minneapolis directs the MCDA to develop strategies and define

resources needed to increase affordable housing production. The Mayor and City Council shall establish a Task Force to assist in the development of this strategy with input from key sectors from the housing industry (private, non-profit and state, regional, county, and local public agencies), service industry, representatives from community organizations that serve low income people and low income residents.

3. That the City of Minneapolis, on an annual basis, shall require that at least 20 percent of all publicly assisted housing developments of 10 units or more, either rental or ownership, shall be affordable to families at or below 30 percent of the metropolitan median income. All publicly assisted rental projects must accept the use of Section 8 rental assistance either by site-based or portable certificate. Only developments of 10 units or more are subject to the 20 percent requirement.

4. That the City of Minneapolis will make it a high legislative priority to lobby for increased federal and state funding for the production of affordable housing metro-wide and also for the strengthening of the Livable Communities Act. The City of Minneapolis will actively promote a fair, affordable housing policy through its membership in regional and metropolitan organizations and its government affairs activities at the legislature.

5. That the City of Minneapolis will continue to fund housing programs for persons at or below 30 percent of the Metropolitan median income and will continue to fund housing programs that benefit persons above 30 percent of the Metropolitan median income such as the Middle Income Housing Program.

6. That the City of Minneapolis hereby establishes a program to be administered by MCDA that would promote and encourage development or rehabilitation of mixed-use, mixed-income projects that integrate moderate and high density housing with commercial, office, and social service uses. The City and the MCDA shall develop strategies to promote these projects as a tool for commercial revitalization, and a key strategy to replace non-viable commercially zoned land in commercial and transit corridors.

7. That the City establishes a "Minneapolis Affordable Housing Task Force" to undertake the following activities:

A. Recommend short-term and long-term goals for the expansion of affordable housing

opportunities with specific timelines for implementation. The goals developed shall include strategies for housing opportunities for family household income ranges of "80 percent to 60 percent of the area median;" "60 percent to 30 percent of the area median income;" and "below 30 percent of the area median income." The Task Force shall also include strategies for implementing locational choices which will serve to reduce poverty concentrations and support the community schools initiative.

B. Develop strategies for the preservation of existing affordable rental and owner occupied housing. The Task Force will look at existing policies and procedures and make recommendations for modification as needed. The Task Force shall work with Hennepin County to recommend strategies for early intervention to support both families at risk and the quality of the City's housing stock;

C. Develop recommendations for funding the Affordable Housing Trust Fund (established under paragraph [1] as a source of funding for production and rehabilitation of affordable housing);

D. Develop recommendations for improving the security, management, and processes for ensuring tenant responsibility in affordable housing;

E. Develop strategies for the preservation of existing affordable rental and owner occupied housing. The Task Force will look at existing policy and procedures and make recommendations for modification as needed. The Task Force will recommend strategies for early intervention to support both families at risk and the quality of the city's housing stock;

F. Develop recommendations and specific strategies for funding the goals and outline local, state, and federal actions that may require special legislative action by the City;

G. Develop recommendations for procedures for preserving affordable rental and single family homes serving families at or below 30 percent of the metropolitan median income. The Task Force should consider the following: early intervention and early warning of housing stress to minimize demolition;

The City Council and Mayor shall appoint the members of the Task Force. The open appointments system shall be used for membership. The Task Force shall be comprised of no more than 21 members. The Mayor shall appoint the Chair and seven

members. The Council shall appoint 13 members with representation from all caucuses;

Membership must be balanced between representatives from the following disciplines: banking/finance; housing advocacy; property developers for profit and not for profit; Minneapolis residents of affordable and market rate housing; and common, regional organizations, such as, but not limited to, AMM, North Metro Mayors, Minneapolis Board of Realtors, Minneapolis School Board, Met Council, etc.

8. That the City will actively work with the City/County Homeless Task Force and others to continue to make progress in addressing the need for emergency shelter and transitional housing (as a first step to long-term affordable housing).

9. This policy is effective upon completion of the work of the Task Force and adoption of their final report by the Minneapolis City Council and accepted by the Mayor.

Adopted. Yeas, 9; Nays, 3 as follows:

Yeas – Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Herron, Minn, Cherryhomes.

Nays – Niland, Goodman, Mead.

Declining to vote – McDonald.

Passed July 31, 1998. J. Cherryhomes, President of Council.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Cherryhomes moved to suspend the rules for the purpose of recessing. Seconded.

Adopted by unanimous consent.

The Council recessed at 11:45 a.m.

The Council reconvened at 12:01 p.m.

President Cherryhomes in the Chair.

Present – Council Members Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Mead, Minn, McDonald, President Cherryhomes.

The **Community Development** Committee submitted the following reports:

Comm Dev – Your Committee, having under consideration a proposal by Children's Health Care to finance the construction of remodeling improvements and equipment to Children's Hospital and Clinic at 2525 Chicago Ave S, including expansion of an existing

parking ramp known as the 10th Avenue ramp at the corner of 25th St and 10th Ave, and for improvements and equipment at the Children's clinic in Roseville, MN, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution giving preliminary approval to the project and to the issuance of up to \$21 million in Tax-exempt Hospital Revenue Bonds Series 1998 for Children's Health Care.

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-276, giving preliminary approval to a project and its financing on behalf of Children's Health Care under the Minnesota Municipal Industrial Development Act; referring the project proposal to the Minnesota Department of Trade and Economic Development for approval; and authorizing the preparation of necessary documents was passed July 31, 1998 by the City Council and approved August 6, 1998 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

RESOLUTION 98R-276
By Niland

Giving Preliminary Approval to a Project and its Financing on Behalf of Children's Health Care Under the Minnesota Municipal Industrial Development Act; Referring the Project Proposal to the Minnesota Department of Trade and Economic Development for Approval; and Authorizing the Preparation of Necessary Documents.

Whereas, this Council has received a proposal that the City of Minneapolis (the "City") finance a portion or all of the cost of a proposed project (the "Project") under Minnesota Statutes, Sections 469.152 through 469.165 (the "Act"), on behalf of Children's Health Care, a Minnesota nonprofit corporation doing business as Children's Hospitals and Clinics ("Children's"), consisting of (i) the

construction and improvement of facilities of the Corporation located at Children's-Minneapolis, 2525 Chicago Avenue and the surrounding campus in the City, including the construction of structured parking, and the acquisition and installation of items of equipment in Children's-Minneapolis and (ii) the acquisition and installation of items of computer hardware and other equipment in a building leased by Children's located at 2910 Centre Point Drive in the City of Roseville, Minnesota; and

Whereas, at a public hearing, duly noticed and held on July 20, 1998, in accordance with the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), on the proposal to undertake and finance the Project, all parties who appeared at the hearing were given an opportunity to express their views with respect to the proposal to undertake and finance the Project and interested persons were given the opportunity to submit written comments to the City Clerk before the time of the hearing;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That based on the public hearing, written comments (if any) and such other facts and circumstances as this Council deems relevant:

(a) The welfare of the State of Minnesota requires the provision of necessary health care facilities to the end that adequate health care services be made available to residents of the State of Minnesota at reasonable cost, and the State of Minnesota has encouraged local government units to act to provide such facilities;

(b) The undertaking of the Project will further the general purposes contemplated and described in Section 469.152 of the Act;

(c) The existence of the Project would further promote the public purposes and legislative objectives of the Act by providing health care services at the lowest possible cost in the City and surrounding area;

(d) This Council has been advised by representatives of Children's that conventional, commercial financing to pay the cost of the Project is available only at such high costs of borrowing that the economic feasibility of acquiring and operating the Project would be reduced from that resulting with the aid of municipal borrowing, and its resulting lower borrowing cost;

(e) This Council has also been advised by representatives of Children's that on the basis of their discussions with potential buyers of tax-exempt bonds, revenue bonds of the City (which may be in the form of a revenue note or notes) could be issued and sold upon favorable rates and terms to finance the Project;

(f) The City is authorized by the Act to issue its revenue bonds to finance capital projects consisting of properties used and useful in connection with a revenue producing enterprise engaged in providing health care services, such as that of Children's, and the issuance of the bonds by the City would be a substantial inducement to Children's to undertake the Project.

Be It Further Resolved that on the basis of the information given the City to date, it appears that it would be desirable for the City to issue its revenue bonds, in one or more series, under the provisions of the Act to finance the Project in the maximum aggregate face amount of \$21,000,000, the interest on which will be excludable from gross income under Section 103 of the Code (the Bonds).

Be It Further Resolved that the City proceed with the Project and its financing and this Council hereby gives preliminary approval to the Project and the issuance of the Bonds under the Act to finance the Project. The issuance of the Bonds to finance the Project shall be subject to approval of the Project by the Minnesota Department of Trade and Economic Development (the Department). The Bonds, if issued, shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City, except the revenues specifically pledged to the payment thereof, and each Bond, when, as and if issued, shall recite in substance that the Bond, including interest thereon, is payable solely from the revenues and property specifically pledged to the payment thereof, and shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.

Be It Further Resolved that the Application to the Minnesota Department of Trade and Economic Development (the Application), with attachments, is hereby approved, and the Mayor, Finance Officer and President of the Council or other authorized representatives of the City are authorized to execute said documents on behalf of the City.

Be It Further Resolved that in accordance with Section 469.154, Subdivision 3 of the Act, the Mayor and Finance Officer or other authorized representatives of the City are hereby authorized and directed to cause the Application to be submitted to the Department for approval of the Project. The Mayor, Finance Officer, President of the Council, City Clerk, City Attorney and other officers, employees and agents of the City are hereby authorized and directed to provide the Department with any preliminary information needed for this purpose. The City Attorney is authorized to initiate and assist in the preparation of such documents as may be appropriate to the Project, if approved by the Department.

Be It Further Resolved that in accordance with an agreement with Children's, any and all direct and indirect costs incurred by the City in connection with the Project, whether or not the Project or the refunding is carried to completion, and whether or not the Project is approved by the Department, and whether or not the City by resolution authorizes the issuance of the Bonds, will be paid by Children's upon request. Adopted. Yeas, 13; Nays none.

Passed July 31, 1998. J. Cherryhomes, President of Council.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the division of the lots at 609 and 613 – 23rd Ave N, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution approving the divisions, waiving the requirement of subdivision plats and directing that a copy of the resolution be attached to the deeds conveying the subdivided parcels.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-277

By Niland

Approving the subdivision of lots at 609 and 613 – 23rd Avenue North.

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 609 & 613-23rd Avenue North and legally described as Lots 3 and 4, Block 3, Nickels and Smith's Addition to Minneapolis be subdivided as follows:

Parcel A: Part of Lots 3 and 4 lying north of the westerly extension of the south line of Lot 1, all in Block 3, Nickels and Smith's Addition to Minneapolis;

Parcel B: Part of Lots 3 and 4 lying south of the westerly extension of the south line of Lot 1, all in Block 3, Nickels and Smith's Addition to Minneapolis; and

Whereas, the MCDA intends to convey the subdivided parcels listed above to the owners of adjacent properties with the following parcels:

Parcel A: (2229 – 6th Street North) – Lot 1, Block 3, Nickels and Smith's Addition to Minneapolis;

Parcel B: (2227 – 6th Street North) – Lot 2, Block 3, Nickels and Smith's Addition to Minneapolis; and

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on July 9, 1998, a public hearing on said subdivision and proposed sale was duly held in a joint meeting of the Community Development Committee of the City Council and the Operating Committee of the MCDA at 5:30 p.m., July 20, 1998, in Room 319, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the division of the above-described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998. J. Cherryhomes, President of Council.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the matter of issuing revenue bonds for major renovation and furnishings to the existing Hyatt/Whitney Hotel, 150 Portland Ave S and the payment of delinquent real estate taxes of approximately \$575,000, and the Council having granted preliminary approval to issue such bonds on May 22, 1998, now recommends passage of the accompanying resolution granting final approval to issue up to \$6.5 million in Commercial Development Tax-exempt Refunding Revenue Bonds Series 1998A and up to \$3.0 million in Commercial Development Taxable Revenue Bonds Series 1998B for the Standard Mill Limited Partnership Project (Hyatt/Whitney Hotel Project) (Petr No 263971).

Your Committee further recommends summary publication of the above-described resolution.

Niland moved to amend the resolution by deleting paragraphs six and seven and inserting in lieu thereof new paragraphs six and seven, as follows:

"6. Approval, Execution and Delivery of the Series 1998A Bonds. The City is hereby authorized to issue the City's Commercial Development Refunding Revenue Bonds (Standard Mill Limited Partnership Project), Series 1998A, in an original aggregate principal amount of not to exceed \$6,500,000, in the form and upon the terms set forth or to be set forth in the Indenture, including such provisions for mandatory purchase of the Series 1998A Bonds as may be contained therein, all as such Indenture is to be executed and delivered pursuant to the provisions of this Resolution, and which terms are accordingly approved and authorized by this Resolution and made part hereof; provided however, that, in no event, shall the weighted average maturity of the Series 1998A Bonds exceed the remaining weighted average maturity of the Series 1985 Bonds to be refunded thereby, or shall the rates of interest on the Series 1998A Bonds produce a net interest cost in excess of 7.25% per annum. The Underwriter has agreed pursuant

to the provisions of the Bond Purchase Agreement to purchase the Series 1998A Bonds for resale, subject to the terms and conditions therein set forth, at the purchase price set forth in the therein, and said purchase price is hereby accepted. Officers of the City are authorized to prepare and execute the Series 1998A Bonds as prescribed in the Indenture to deliver them to the Trustee, together with a certified copy of this Resolution and the other documents required by the Indenture, for authentication, registration and delivery to the Underwriter or agents. As provided in the Indenture, each Series 1998A Bond shall contain a recital that it is issued pursuant to the Acts, and such recital shall be conclusive evidence of the validity and regularity of the issuance thereof.

7. Approval, Execution and Delivery of the Series 1998B Bonds. The City is hereby authorized to issue the City's Taxable Commercial Development Revenue Bonds (Standard Mill Limited Partnership Project), Series 1998B, in an original aggregate principal amount of not to exceed \$3,000,000, in the form and upon the terms set forth or to be set forth in the Indenture, including such provisions for mandatory purchase of and resetting of interest rates on the Series 1998B Bonds as may be contained therein, all as such Indenture is to be executed and delivered pursuant to the provisions of this Resolution, and which terms are accordingly approved and authorized by this Resolution and made part hereof; provided however, that, in no event, shall the final maturity of the Series 1998B Bonds exceed 25 years or shall the rates of interest on the Series 1998B Bonds produce a net interest cost in excess of 11.00% per annum. The Underwriter has agreed pursuant to the provisions of the Bond Purchase Agreement to purchase the Series 1998B Bonds for placement thereafter solely to accredited investors, all pursuant to Section 4(a) of the Securities Act of 1933, as amended, subject to the terms and conditions therein set forth and at the purchase price set forth in the therein, and said purchase price is hereby accepted. Officers of the City are authorized to prepare and execute the Series 1998B Bonds as prescribed in the Indenture to deliver them to the Trustee, together with a certified copy of this Resolution and the other documents required by the Indenture, for authentication, registration and delivery to the

Underwriter or agents. As provided in the Indenture, each Series 1998B Bond shall contain a recital that it is issued pursuant to the Acts, and such recital shall be conclusive evidence of the validity and regularity of the issuance thereof." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Declining to vote – Colvin Roy.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-278, giving Final Approval for proposed Commercial Development Project, the issuance by the City of its Taxable Commercial Development Revenue Bonds therefore, and the issuance by the City of its Refunding Revenue Bonds in connection therewith, all on behalf of Standard Mill Limited Partnership under the Municipal Industrial Development Act was passed July 31, 1998 by the City Council and approved August 6, 1998 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

RESOLUTION 98R-278
By Niland

Giving Final Approval for proposed Commercial Development Project, the issuance by the City of its Taxable Commercial Development Revenue Bonds therefore, and the issuance by the City of its Refunding Revenue Bonds in connection therewith, all on behalf of Standard Mill Limited Partnership under the Municipal Industrial Development Act.

Resolved by The City Council of The City of Minneapolis:

1. Authority. The City of Minneapolis (the "City") is by the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Sections 469.152 to 469.1651, as amended (the "act") authorized to issue and sell its revenue bonds for the purpose of financing and refinancing costs of authorized projects.

2. Authorization of the Bonds and the Project. Standard Mill Limited Partnership, a

Minnesota Limited Partnership (the "Borrower"), has proposed to this Council that the City issue and sell its City of Minneapolis Commercial Development Refunding Revenue Bonds (Standard Mill Limited Partnership Project), Series 1998A (the "Series 1998A Bonds") and City of Minneapolis Taxable Commercial Development Revenue Bonds (Standard Mill Limited Partnership Project), Series 1998B (the "Series 1998B Bonds") (the "Series 1998A Bonds and the Series 1998B Bonds are herein together generally referred to as the "Bonds") in substantially the form set forth in the hereinafter-mentioned Indenture of Trust, pursuant to the Act, and loan the proceeds thereof to the Borrower for the purpose generally consisting of the renovation, furnishing and equipping of the Borrower's existing hotel facility (commonly known as the Whitney Hotel and sometimes referred to as the "Project Facilities"), located at 150 Portland Avenue in the City of Minneapolis (all as described in the Loan Agreement and referred to below as the "Project"), including payment of administrative costs, including taxes and issuance costs, and funding of reserves, to be undertaken together with the related refinancing of existing tax-exempt indebtedness incurred with respect to the existing facility through the refunding in full of the City's outstanding Commercial Development Revenue Bonds, Series 1985 (Standard Mill Hotel Project), in the outstanding amount of \$6,500,000 (Sometimes referred to as the "Bond Refunding").

3. Documents Presented. Forms of the following documents relating to the Bonds have been submitted to the City and are now on file with the staff of the Minneapolis Community Development Agency:

a. Loan Agreement (the "Loan Agreement"), proposed to be dated as of August 1, 1998, between the City and the Borrower, whereby the City agrees to make a loan to the Borrower of the gross proceeds of sale of the Bonds and the Borrower agrees to complete the financing and refinancing of the Project, and to pay or cause to be paid amounts in repayment of the loan sufficient to provide for the full and prompt payment of the principal of, premium, if any, and interest on the Bonds;

b. Indenture of Trust (the "Indenture"), proposed to be dated as of August 1, 1998,

between the City and the trustee ("Trustee"), setting forth the terms and provisions of the Bonds, and pledging revenues, including those to be derived from the Letter of Credit described below and from the Loan Agreement, as security for the Bonds, and setting forth proposed recitals, covenants and agreements relating thereto;

c. Combination Mortgage, Security Agreement and Fixture Financing Statement (the "Mortgage"), proposed to be dated as of August 1, 1998 between the City and the Borrower, as mortgagor, providing a mortgage against the Project Facilities as security for the Bonds;

d. Assignment of Leases and Rents (the "Lease Assignment"), dated as of August 1, 1998 between the Borrower, as assignor, and the City, as assignee, assigning, for the further security of the Bonds, all leases and rents with respect to the Project Facilities;

e. Assignment of Combination Mortgage, Security Agreement and Fixture Financing Statement and Assignment of Leases and Rents (the "Mortgage Assignment"), dated as of August 1, 1998 between the City, as assignor, and the Trustee, as assignee;

f. Bond Purchase Agreement (the "Bond Purchase Agreement") between the City, the Borrower and Miller Johnson & Kuehn, as underwriter (the "Underwriter"), providing for the initial purchase of the Bonds by the Underwriter, subject to the terms and conditions provided therein. (The Loan Agreement, Indenture, Mortgage, Lease Assignment, Mortgage Assignment and Bond Purchase Agreement are generally herein referred to together as the "Bond Documents.")

4. Findings. It is hereby found, determined and declared that:

a. There is no litigation pending or, to the best of its knowledge, threatened against the City relating to the Project, the Bonds, the Bond Documents, or questioning the organization, powers or authority of the City to issue the Bonds or execute such agreements.

b. The execution, delivery and performance of the City's obligations under the Bonds and the Bond Documents do not

and will not violate any order of any court or any agency of government of which the City is aware or in any proceeding to which the City is a party, or any indenture, agreement or other instrument to which the City is a party or by which it or any of its property is bound, or be in conflict with, result in a breach of, or constitute (with due notice or lapse of time or both) a default under any such indenture, agreement or other instrument.

c. The Bonds are to be issued by the City upon the terms set forth in the Indenture, under the provisions of which the City's interests in the Loan Agreement will be pledged to the Trustee as security for the payment of principal of, premium, if any, and interest on the Bonds (except for certain rights to indemnity, repayment of advances and payment of fees and expenses).

d. The Loan Agreement provides for payments to be made by or on behalf of the Borrower to the Trustee of such amounts as will be sufficient to pay the principal of, premium, if any, and interest on the Bonds when due. The Loan Agreement obligates the Borrower to provide for the payment of operation and maintenance expenses, including adequate insurance, taxes and special assessments.

e. Under the provisions of the Act, and as provided in the Loan Agreement and Indenture, the Bonds are not to be payable from nor charged upon any funds other than amounts payable pursuant to the Loan Agreement, and moneys in the funds and accounts held by the Trustee under the Indenture which are pledged to the payment thereof; the City is not subject to any liability thereon; no owners of the Bonds shall ever have the right to compel the exercise of the taxing power of the City to pay any of the Bonds or the interest thereon, nor to enforce payment thereof against any property of the City; the Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City; and each Bond issued under the Indenture shall recite that such Bond, including interest thereon, shall not constitute or give rise to a charge against the general credit or taxing powers of the City.

5. Approval and Execution of Documents.

The forms of Bond Documents referred to in paragraph 3, are approved. The Bond Documents are hereby authorized to be executed in the name and on behalf of the City by one or more officers of the City, in substantially the form on file, but with all such changes therein, not inconsistent with the Act or other law, as may be approved by the officers executing the same, which approval shall be conclusively evidenced by the execution thereof, and then shall be delivered to the Trustee.

6. Approval, Execution and Delivery of the Series 1998A Bonds. The City is hereby authorized to issue the City's Commercial Development Refunding Revenue Bonds (Standard Mill Limited Partnership Project), Series 1998A, in an original aggregate principal amount of not to exceed \$6,500,000, in the form and upon the terms set forth or to be set forth in the Indenture, including such provisions for mandatory purchase of the Series 1998A Bonds as may be contained therein, all as such Indenture is to be executed and delivered pursuant to the provisions of this Resolution, and which terms are accordingly approved and authorized by this Resolution and made part hereof; provided however, that, in no event, shall the weighted average maturity of the Series 1998A Bonds exceed the remaining weighted average maturity of the Series 1985 Bonds to be refunded thereby, or shall the rates of interest on the Series 1998A Bonds produce a net interest cost in excess of 7.25% per annum. The Underwriter has agreed pursuant to the provisions of the Bond Purchase Agreement to purchase the Series 1998A Bonds for resale, subject to the terms and conditions therein set forth, at the purchase price set forth in the Indenture, and said purchase price is hereby accepted. Officers of the City are authorized to prepare and execute the Series 1998A Bonds as prescribed in the Indenture to deliver them to the Trustee, together with a certified copy of this Resolution and the other documents required by the Indenture, for authentication, registration and delivery to the Underwriter or agents. As provided in the Indenture, each Series 1998A Bond shall contain a recital that it is issued pursuant to the Acts, and such recital shall be conclusive evidence of the validity and regularity of the issuance thereof.

7. Approval, Execution and Delivery of the Series 1998B Bonds. The City is hereby authorized to issue the City's Taxable Commercial Development Revenue Bonds (Standard Mill Limited Partnership Project), Series 1998B, in an original aggregate principal amount of not to exceed \$3,000,000, in the form and upon the terms set forth or to be set forth in the Indenture, including such provisions for mandatory purchase of and resetting of interest rates on the Series 1998B Bonds as may be contained therein, all as such Indenture is to be executed and delivered pursuant to the provisions of this Resolution, and which terms are accordingly approved and authorized by this Resolution and made part hereof; provided however, that, in no event, shall the final maturity of the Series 1998B Bonds exceed 25 years or shall the rates of interest on the Series 1998B Bonds produce a net interest cost in excess of 11.00% per annum. The Underwriter has agreed pursuant to the provisions of the Bond Purchase Agreement to purchase the Series 1998B Bonds for placement thereafter solely to accredited investors, all pursuant to Section 4(a) of the Securities Act of 1933, as amended, subject to the terms and conditions therein set forth and at the purchase price set forth in the Indenture, and said purchase price is hereby accepted. Officers of the City are authorized to prepare and execute the Series 1998B Bonds as prescribed in the Indenture to deliver them to the Trustee, together with a certified copy of this Resolution and the other documents required by the Indenture, for authentication, registration and delivery to the Underwriter or agents. As provided in the Indenture, each Series 1998B Bond shall contain a recital that it is issued pursuant to the Acts, and such recital shall be conclusive evidence of the validity and regularity of the issuance thereof.

8. Certificates, etc. Officers of the City are authorized to prepare and furnish to Bond Counsel and the Underwriter certified copies of all proceedings and records of the City relating to the Bonds, and such other affidavits and certificates as may be required to show the facts appearing from the books and records in the officers' custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

9. Official Statement. The City hereby consents to the circulation by the Underwriter of an official statement (the "Official Statement"), including a Preliminary Official Statement, in selling the Bonds and offering the Bonds for sale; provided, however, that the City has not participated in the preparation of the Official Statement or independently verified the information in the Official Statement, and takes no responsibility for, and makes no representations or warranties as to, the accuracy or completeness of such information.

10. Nature of City's Obligations. All covenants, stipulations, obligations, representations, and agreements of the City contained in this Resolution or contained in the aforementioned documents shall be deemed to be the covenants, stipulations, obligations, representations, and agreements of the City to the full extent authorized or permitted by law, and all such covenants, stipulations, obligations, representations, and agreements shall be binding upon the City. Except as otherwise provided in this Resolution, all rights, powers, and privileges conferred, and duties and liabilities imposed upon the City by the provisions of this Resolution or of the aforementioned documents shall be exercised or performed by such officers, board, body or agency as may be required or authorized by law to exercise such powers and to perform such duties. No covenant, stipulation, obligation, representation, or agreement herein contained or contained in the documents referred to above shall be deemed to be a covenant, stipulation, obligation, representation, or agreement of any council member, officer, agent, or employee of the City in that person's individual capacity, and neither the City Council nor any officer or employee executing the Bonds or such documents shall be liable personally on the Bonds or be subject to any representation, personal liability or accountability by reason of the issuance thereof. No provision, representation, covenant or agreement contained in the Bonds or in any other document related to the Bonds, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to a general obligation of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants and representations set forth in the Bonds or in any other document related to the Bonds, the City has not obligated itself to pay

or remit any funds or revenues, other than the Trust Estate described in the Indenture.

11. Rights Conferred. Except as herein otherwise expressly provided, nothing in this Resolution or in the Indenture, expressed or implied, is intended or shall be construed to confer upon any person, firm, or corporation other than the City, the owners of the Bonds, the Trustee, and the Borrower, to the extent expressly provided in the Loan Agreement or the Indenture, any right, remedy, or claim, legal or equitable, under and by reason of this Resolution or any provision hereof or of the Indenture or any provision thereof, this Resolution, the Indenture and all of their provisions being intended to be and being for the sole and exclusive benefit of the owners from time to time of the Bonds issued under the provisions of this Resolution and the Indenture, the City and the Borrower to the extent expressly provided in the Loan Agreement or the Indenture.

12. Payment of Costs. All costs incurred by the City in connection with the issuance, sale and delivery of the Bonds and the execution and delivery of the documents referred to above or any other agreement or instrument relative to the Bonds, whether or not actually issued or delivered, have been agreed by the Borrower to be paid by the Borrower or reimbursed by the Borrower to the City.

13. Authorized Officers. The Bonds and the documents referred to herein are authorized to be executed on behalf of the City by its Mayor, City Clerk and Finance Officer; provided that in the event any of the officers of the City authorized to execute documents on behalf of the City under this Resolution shall have resigned or shall for any reason be unable to do so, any member of the City Council of the City, or any officer or employee of the City, is hereby directed and authorized to do so on behalf of the City, with the same effect as if executed by any officer specifically authorized to do so in the Indenture or this Resolution.

14. Governmental Program. The Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

15. Effective Date. This resolution shall be in full force and effect from and after its publication.

Adopted. Yeas, 12; Nays none.

Declining to vote – Colvin Roy.

Passed July 31, 1998. J. Cherryhomes, President of Council.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT, INTERGOVERNMENTAL RELATIONS, PUBLIC SAFETY & REGULATORY SERVICES, TRANSPORTATION & PUBLIC WORKS, WAYS & MEANS/BUDGET** and **ZONING & PLANNING** Committees submitted the following report:

Comm Dev, IGR, PS&RS, T&PW, W&M/Budget, Z&P – Your Committee recommends adoption of the "Healthy City: Conduct and Ethics in City Government" document for the City of Minneapolis, as set forth in Petn No 263978.

Mead moved to discharge the Intergovernmental Relations Committee from further consideration of the "Healthy City: Conduct and Ethics in City Government" document. Seconded.

Adopted upon a voice vote.

Mead moved to amend Petition No. 263978 by deleting the words "Healthy City:" from the document title which reads, "Healthy City: Conduct and Ethics in City Government" and by deleting the words "and appointed" from the sentence which reads: "As elected and appointed officials, employees and volunteers of the City, we are entrusted with the welfare, property, security, and safety of the people we serve." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Declining to vote – Colvin Roy.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget – Your Committee, having under consideration

modifications to the Redevelopment Contract, Assessment Agreements, Tax Increment Notes and legal descriptions between the Minneapolis Community Development Agency (MCDA) and CSM Investors, Inc. relating to the redevelopment of a 30 acre railroad property within the SEMI Redevelopment Project, the "University Industrial Park," now recommends approval of the proposed modifications to the Redevelopment Contract and related documents as set forth in Petn No 263973, to allow the parcel to be divided into three separate parcels for financing purposes.

Your Committee further recommends that this action be referred to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the request by Sherman Associates for the Minneapolis Community Development Agency (MCDA) to share in costs for soil replacement at the construction site of Phase II of Hawthorn Crossings, 900 W Broadway, due to conditions beyond the developer's control, now recommends passage of the accompanying resolution increasing the MCDA appropriation in Fund CBA – West Broadway by \$65,729 to cover costs not covered by the soil escrow.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-279
By Niland and Campbell

**Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund CBA – West Broadway by \$65,729 from projected fund balance.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998. J. Cherryhomes,
President of Council.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to submit an application to the U.S. Department of Housing & Urban Development for Economic Development Initiative funds in the amount of \$955,000 on behalf of the Portland Place Project to cover gap financing for the construction of 51 mixed-income, owner-occupied housing units and the rehabilitation of one existing single family structure in a two block area along Portland Ave between E 26th & 28th Sts and 5th Ave S.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration terms of the Settlement Agreement between the City of Minneapolis and the owners of the Mann Theatre and Stimson Building at 700-710 Hennepin Ave, now recommends that the Minneapolis Community Development Agency be granted a waiver from their procurement policy to allow expenditures, not to exceed \$50,000, for a market and feasibility study on the Mann Theatre and that the proper City Officers be authorized to exercise the City's condemnation authority by quick take.

Your Committee further recommends that the City Attorney's Office be authorized to enter into a legal services agreement with outside counsel, not to exceed \$50,000, to accomplish the condemnation.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the following recommendations of the Minneapolis Community Development Agency (MCDA) for

rehabilitation of the Grain Belt 1906 Historic Bottling House building:

a) Approval of said project as set forth in Petition No 263973;

b) Authorization for allocation of \$970,000 in Leveraged Investment funds to the Grain Belt Bottling House Project, on the terms and conditions outlined in the Petition;

c) Authorization to waive the interest rate guideline of the Leveraged Investment Fund for this project;

d) Passage of a resolution increasing the appropriation in Fund SDA – Development Account by \$970,000; Increasing the appropriation in Fund SMN – State Grants Loans by \$500,000 and increasing the Fund SMN revenue estimate by \$500,000;

e) That the Executive Director of the MCDA, or her designee, be authorized to enter into an agreement with the Minnesota Historical Society for a \$500,000 grant;

f) That this action be referred to the Board of Commissioners of the MCDA;

Comm Dev – now recommends approval.

W&M/Budget – now recommends approval.

Your Committee further recommends that the first year's debt-free income be dedicated to pay the projected interest.

Niland moved to delete the Community Development Committee recommendation and to approve the Ways & Means/Budget Committee recommendation. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-280
By Niland and Campbell

Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

a) Increasing the appropriation in Fund SDA – Development Account by \$970,000 from available fund balance;

b) Increasing the appropriation in Fund SMN – State Grants Loans by \$500,000 from available fund balance and increasing the Fund SMN – State Grants Loans revenue (3215-04) estimate by \$500,000.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998. J. Cherryhomes, President of Council.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following reports:

IGR – Your Committee, having under consideration the Census 2000 Project, now recommends establishment of the Minneapolis Complete Count Committee (MCC Committee) to promote the Census, especially in communities that are difficult to enumerate. (Petn No 263977)

Your Committee further recommends that:

a. The MCC Committee shall serve through June 2000.

b. The Chair of the MCC Committee shall be appointed by the Mayor and confirmed by the City Council.

c. The Executive Committee of the MCC Committee shall include the Chair and a representative from the Minneapolis School Board.

d. The MCC Committee shall be composed of up to 35 members, with broad representation, including representation from the following groups:

1. African American (2);
2. Asian/Pacific Islander (4);
3. Hispanic (2);
4. American Indian (2);
5. Somali (2);
6. Homeless (2);
7. Low Income (2);
8. Disabilities (2);
9. Seniors (2);
10. Youth (2);
11. Gay Lesbian Bisexual Transgender (2);
12. Foundations (2);
13. Businesses (i.e., Downtown Council, Chamber of Commerce, Carmichael Lynch (3));
14. Government (School, Park, Library (3));

15. United Way (1);
16. Research community (1);
17. Neighborhood Revitalization Program (1);
18. Labor;
19. Council of Churches.
e. MCC Members shall be appointed by the City Council using the City's open appointment process.
f. Members shall serve without compensation.
g. The MCC Committee may create subcommittees as needed.
h. The MCC Committee shall be staffed by the Planning Department.
i. The MCC Committee should meet monthly, subject to change based on factors such as amount of work taken on by subcommittees and available staffing.
Campbell moved that the report be amended by inserting the following language at the end of paragraph "d": "20. Recent immigrants". Seconded.
Adopted upon a voice vote.
The report, as amended, was adopted.
Yeas, 13; Nays none.
Passed July 31, 1998.
Approved August 6, 1998. S. Sayles Belton, Mayor.
Attest: M Keefe, City Clerk.

IGR – Your Committee recommends passage of the accompanying resolutions (a) approving Laws of Minnesota 1998, Chapter 389, establishing a redevelopment district for the Lake Street Project (Sears); (b) approving Laws of Minnesota 1998, Chapter 393, relating to the executive director of the Civilian Police Review Authority; and (c) approving Laws of Minnesota 1997, Chapter 231, establishing the Housing Transition District. (Petn No 263976)
Adopted. Yeas, 13; Nays none.
Passed July 31, 1998.
Approved August 6, 1998. S. Sayles Belton, Mayor.
Attest: M Keefe, City Clerk.

RESOLUTION 98R-282
By Thurber

**Approving Laws of Minnesota 1998,
Chapter 389.**

Whereas, the Minnesota State Legislature has passed a law relating to a redevelopment district for the Lake Street Project; and

Whereas, said law, by its terms, requires an affirmative vote of a majority of the members of the City Council before it may become effective;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That said law be now approved and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998. J. Cherryhomes, President of Council.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M Keefe, City Clerk.

RESOLUTION 98R-283
By Thurber

**Approving Laws of Minnesota 1998,
Chapter 393.**

Whereas, the Minnesota State Legislature has passed a law relating to the Executive Director of the Civilian Police Review Authority; and

Whereas, said law, by its terms, requires an affirmative vote of a majority of the members of the City Council before it may become effective;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That said law be now approved and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998. J. Cherryhomes, President of Council.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M Keefe, City Clerk.

RESOLUTION 98R-284
By Thurber

**Approving Laws of Minnesota 1997,
Chapter 231.**

Whereas, the Minnesota State Legislature has passed a law relating to establishment of Housing Transition District; and

Whereas, said law, by its terms, requires an affirmative vote of a majority of the members of the City Council before it may become effective;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That said law be now approved and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998. J. Cherryhomes, President of Council.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M Keefe, City Clerk.

IGR – Your Committee recommends passage of the accompanying resolution urging Congress to appropriate funds to preserve and produce affordable housing.

Goodman moved to substitute the following resolution for the above-mentioned resolution. Seconded.

Adopted upon a voice vote.

Goodman moved that the second resolving clause of the resolution be amended by deleting the language “one year’s notice to all tenants prior to prepayment of a mortgage by the owner of an affordable housing project” and inserting in lieu thereof the following language: “the Department of Housing and Urban Development not to accept prepayment of affordable housing projects unless long-term arrangements are made to ensure affordability”. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Absent – Biernat.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M Keefe, City Clerk.

RESOLUTION 98R-285

**By Goodman, Thurber,
Campbell, McDonald,
Johnson, Niland,
Herron, Cherryhomes,
Mead and Colvin Roy**

Urging Congress to appropriate funds to preserve and produce affordable housing.

Whereas, it is the goal of the City of Minneapolis that all of its citizens live in safe, decent and affordable housing; and

Whereas, there is a shortage of affordable rental housing in Minneapolis, the metropolitan region and the State of Minnesota, which creates severe hardships for families, contributes to children’s inability to perform well in school, contributes to homelessness and makes it difficult for employers to attract and retain productive workers; and

Whereas, the current rental vacancy rate is extremely low and rents are rising faster than incomes; and

Whereas, the number of privately owned, subsidized housing units being converted to market rate rents is rising dramatically, causing a net loss of affordable housing units; and

Whereas, displaced tenants, especially families with children, are having great difficulty in finding alternative affordable housing; and

Whereas, the federal government has reduced its financial support for affordable housing programs; and

Whereas, the State of Minnesota has recently appropriated \$10 million for the preservation of affordable housing and increased funding for production of affordable housing by \$3.3 million; and

Whereas, both Oak Grove Towers and the Rivergate Apartments are in danger of prepayment of their federally subsidized mortgages by the owners;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Congress and the Clinton Administration are urged to appropriate federal funds to match the state and local funds authorized for the preservation and production of affordable housing.

Be It Further Resolved, that the City of Minneapolis urges Congress to adopt a federal law requiring the Department of Housing and Urban Development not to accept prepayment of affordable housing projects unless long-term arrangements are made to ensure affordability.

Be It Further Resolved, that the City of Minneapolis shall direct the City Attorney and the Minneapolis Community Development Agency to explore filing an amicus curiae brief

in support of the Preservation Law Project suit challenging an owner's right to prepay their federally subsidized mortgages.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed July 31, 1998. J. Cherryhomes, President of Council.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M Keefe, City Clerk.

The **INTERGOVERNMENTAL RELATIONS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

IGR & W&M/Budget – Your Committee, having under consideration the Property Tax Study Project, whose members come from the Cities of Minneapolis, St Paul and Duluth, the Counties of Hennepin, Ramsey and St Louis, and the Minneapolis and St Paul School Districts, now recommends that the City of Minneapolis continue its participation in the Project.

Your Committee further recommends approval of a technical amendment of \$10,000, to be used toward hiring a consultant for the Project, and referral of said amendment to the midyear budget reconciliation. (Petr No 263976)

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS – Your Committee, having under consideration the application of Great Minds Big Ideas Inc, dba Eat This, 212 E Hennepin Av, for an On-Sale Wine Class E with Strong Beer License to expire April 1, 1999 (new business), and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the application of Last Cowboy LLC, dba Bar Abilene, 1300 Lagoon Av, for an On-Sale Liquor Class E with Sunday Sales License to expire July 1, 1999 (change in ownership from New French Uptown Inc), now recommends that said license be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 3, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 5, 1998)

PS&RS – Your Committee recommends granting the following applications for liquor, wine and beer licenses:

Off-Sale Liquor, to expire July 1, 1999

Sentyrz Falyce A, dba Sentyrz Liquors & Supermarket, 1612 NE 2nd St, 1st Floor;

Kick's Liquor Store Inc, dba Broadway Liquor Outlet, 2201 W Broadway;

Jose & Luke Inc, dba Hi-Lake Liquors, 2218 E Lake St B;

On-Sale Liquor Class A with Sunday Sales, to expire July 1, 1999

Pepito's Mexican Foods Inc, dba Pepito's, 4820 Chicago Av S;

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 1998

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises on July 25, 1998 from 5:15 p.m. to 1:00 a.m. for Larson-Arenson Wedding Reception;

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises on July 18, 1998 from 6:30 p.m. to 1:00 a.m. for Meuleners-Lacroix Wedding Reception;

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises on July 15, 1998 from 4:30 p.m. to 9:00 p.m. for V A Medical Center;

Minnesota Orchestral Association, dba Orchestra Hall, 1111 Nicollet Mall, on July 8, 1998 through August 1, 1998 from 11:00 a.m. to 10:00 p.m.;

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 1999

Sophias Inc, dba Sophias Restaurant, 65 Main St SE #143;
Sirian Enterprises, dba Lees Liquor Bar, 101 Glenwood Av;
Mr. Arthur's Inc, dba Legends Cafe, 825 E Hennepin;

On-Sale Liquor Class C-1 with Sunday Sales, to expire July 1, 1999

Westbank Productions Co LLC, dba 400 Bar, 400 Cedar Av;
Minnesota Bar Inc, dba Minnesota Bar, 1501 S 6th St;
Loring Cafe Inc, dba Loring Cafe & Bar, 1624-30 Harmon Pl;

On-Sale Liquor Class C-2 with Sunday Sales, to expire July 1, 1999

Hubert's Inc, dba Hubert's Bar & Grill, 601 Chicago Av;

On-Sale Liquor Class D with Sunday Sales, to expire July 1, 1999

LaBonne Table Inc, dba New French Cafe, 128 N 4th St;

Nora's Calhoun Inc, dba Nora's, 3118 W Lake St (outside expansion – Class "E" only);

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 1999

Lake Street Inc, dba Smiling Moose, 3001 Hennepin Av (new manager);

Bill Bass Inc, dba Runyon's, 107 Washington Av N;

Stub & Herbs Inc, dba Stub & Herbs, 227 Oak St;

Sib Inc, dba 331 Club, 331 13th Av NE;
Largo Enterprises Inc, dba Whitey's World Famous Saloon, 400 E Hennepin;

Woman's Club of Mpls, dba Woman's Club of Mpls, 410 Oak Grove St;

Cuzzy's Inc, dba Cuzzy's Grill & Bar, 507 Washington Av N;

Mill Inn Inc, dba Mill Inn, 515 Washington Av S;

U Otter Stop Inn Inc, dba U Otter Stop Inn, 617 Central Av NE;

Tuttle Inc, dba Elsie's, 729 Marshall St;

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 1998

Levit Holdings Ltd, dba Ichiban Japanese Steakhouse, 1333 Nicollet Mall;

Peanuts Pub & Chili Unlimited Inc, dba Porter's Bar & Grill, 2647 Nicollet Av;

Bottle Club, to expire March 31, 1999

Ames Lodge #106, dba Elk's Lounge, 1614 Plymouth Av;

Cato Shrine Grand Temple, dba Ancient Arabic Order Nobles, 2223 Golden Valley Rd;
Latvian House Inc, dba Latvian House, 2337 Central Av NE;

Star Spangled Banner Post #1149, dba Veterans of Foreign Wars, 3016 17th Av S;
Vincent L Giantvalley Post #234, dba American Legion Dept of Minnesota, 3751 Minnehaha Av;

Spruce Tree Lounge Inc, dba Spruce Tree Lounge, 3836 4th Av S;

Wold-Chamberlain Post #99, dba American Legion, 5600 34th Av S;

Temporary On-Sale Liquor, to expire March 31, 1999

Warehouse District Business Assoc, 322 1st Av N, with entertainment on August 1 & 2, 1998 from 2:00 p.m. to 10:00 p.m., at 501 1st Av N (Licensed Facilitator: Restaurant Entertainment Group);

On-Sale Wine Class A with Strong Beer, to expire April 1, 1999

Vannandy's Restaurant & Nightclub Inc, dba Vannandy's Restaurant & Nightclub, 3003 27th Av S;

On-Sale Wine Class E with Strong Beer, to expire April 1, 1999

Molly's Inc, dba Broders Cucina Italiana, 2308 W 50th St;

Off-Sale Beer to expire April 1, 1999

American Oil Company, dba Amoco #2386, 2636 University Av NE (new business);

American Oil Company, dba Amoco #2384, 4553 Nicollet Av (new business);

Rans Inc, dba Handy Stop, 700 Lowry Av NE;

Sania's Inc, dba Handy Stop #3, 2600 W Broadway;

Temporary On-Sale Beer

Church of the Holy Name, 3637 11th Av S, on October 11, 1998 from 11:00 a.m. to 4:30 p.m. at the church school building for parish festival;

Church of the Holy Cross, 1621 University Av NE, on September 19, 1998 from 5:30 p.m. to 10:00 p.m. at the parking lot on 16th & 4th St NE for fall parish festival;

Cedarfest Inc, dba Cedarfest, 325 Cedar Av, on August 16, 1998 from 11:30 a.m. to 10:00 p.m. at the corner of 3rd & Cedar, 5th & Cedar and Riverside Av for community festival;

Church of the Incarnation, dba "Oktoberfest" Festival, 3817 Pleasant Av, on October 3, 1998 from 10:00 a.m. to 12:00 a.m.

and October 4, 1998 from 10:00 a.m. to 5:00 p.m. at 3800 Pleasant Av S, for parish festival;

Lyn Lake Improvement Assn, dba Lyn Lake Street Fair, 711 W Lake St #500, on July 18, 1998 from noon to 10:00 p.m. at Lyndale Av S at Lake St for community festival;

Sacred Heart Catholic Church, 2114 NE 5th St, on August 15, 1998 from 11:00 a.m. to 8:00 p.m. for annual picnic polish food fest.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of July 31, 1998, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 263981):

Bowling Alleys; Bowling, Pool & Billiards All-Night Special; Building Contractor Class A; Building Contractor Class B; Carnival; Cement Finisher; Contractor/Masonry Class A; Contractor/Masonry Class B; Dance Hall; Dry-Wall Contractor; Place of Entertainment; All-Night Special Food; Caterers; Confectionery; Food Distributor; Food Distributor – Out of Town; Farm-Produce Permit; Farm Produce (Profit or Non-Profit Permit); Grocery; Ice Peddler; Ice Producer; Indoor Food Cart; Food Manufacturer; Meat Markets; Restaurant – Drive In; Restaurant; Food Shelf; Short-Term Food Permit; Seasonal Short Term Food Establishment; Sidewalk-Cafe Permit; Vending Machines; Wholesale Sausage Manufacturing or Distributor; Lodging with Boarding House; Motor Vehicle Dealer – Motor Cycles; Motor Vehicle Dealer – Used Only; Motor Vehicle Wholesaler; Peddler – Special Religious; Pool Tables; Sign Hanger; Swimming Pools; Tattooing; Taxicab Neighborhood Rideshare; Taxicab Vehicle; Tobacco Dealers; Tree Servicing; Wrecker of Buildings Class A; and Wrecker of Buildings Class B.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling Lawful Exempt

Church of the Holy Name, 3637 11th Av S, for bingo, raffle, pulltabs on October 11, 1998;

Rivers Council of Minnesota, 213 Summit Av, Walker MN, for raffle on April 24, 1999 at Midwest Mountaineering, 309 Cedar Av S;

Church of the Holy Cross, dba Church of the Holy Cross, 1621 University Av NE, for bingo, raffle, paddlewheel, pulltabs & tipboards on September 19 & 20, 1998; and bingo, raffle & pulltabs on November 23, 1997;

Emerson Silc Program Council Inc, 1421 Spruce Pl, for raffle on October 23, 1998.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Portion republished August 22, 1998 and September 11, 1998)

PS&RS – Your Committee, having under consideration the following properties which have been determined by the Director of Inspections to create a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having received requests by the property owners to raze said properties, now recommends that the proper City Officers be authorized to raze the following properties:

a. 4003 Fremont Av N, Lot 13, Block 5, Wyoming Park Addn (PID #04-029-24-12-0068);

b. 2910 Grand Av S, Lot 3, Block 6, Excelsior Addn (PID #34-029-24-33-0049).

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City Officers be authorized to renew and execute Amendment #4 to Contract #3834 with the Federal Bureau of Investigation (FBI) Fugitive Task Force whereby the City will provide one Minneapolis Police Officer to be assigned to said Task Force on a full-time

basis for the period October 1, 1998 through September 30, 1999. The monthly allocation for overtime for this officer shall not exceed \$744.62, which shall be reimbursed to the City by the FBI. (Petr No 263982)

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City Officers be authorized to renew and execute Amendment #3 to Contract #3786 with the Federal Bureau of Investigation (FBI) Safe Streets Task Force (Violent Crime Strike Force) whereby the City will provide one Minneapolis Officer to be assigned to said Task Force for the period October 1, 1998 through September 30, 1999. The monthly allocation of overtime for this officer shall not exceed \$744.62, which shall be reimbursed to the City by the FBI. (Petr No 263982)

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City Officers be authorized to execute an agreement with Hennepin County, in the amount of \$50,000, to continue to provide Community Health Services to fund disease surveillance services as described in Petr No 263979 on file in the Office of the City Clerk. Said agreement shall be for the period January 1 through December 31, 1998, payable from Health (060-440-4413).

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration report passed June 26, 1998 amending the contract with the Metropolitan Visiting Nurse Association to extend public health nursing services for Project LID (Lower Infant Deaths) at half-time for the period July 1 through December 31, 1998, now recommends that said report be amended to change the total contract not to exceed amount from "\$1,252,371" to \$1,268,666".

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having conducted an Evidentiary Hearing on June 15, 1998 to consider evidence relating to the application for a Lodging House License by the Kappa Chapter of the Sigma Alpha Mu Fraternity, 928 SE 5th St, and having received Findings of Fact, Conclusions and Recommendations arising from said Evidentiary Hearing held thereon, now recommends concurrence with the following Hearing Panel's recommendations, as more fully set forth in said Findings, on file in the Office of the City Clerk and made a part of this report by reference:

1. That Sigma Alpha Mu's application for a Lodging House License be denied. Said denial of license shall be stayed, pursuant to the following conditions:

2. That Sigma Alpha Mu's application for a Lodging House License be suspended for a period of thirty (30) days, commencing immediately. Sigma Alpha Mu will not be allowed to operate its fraternity house during the term of suspension;

3. That Sigma Alpha Mu bring its kitchen into compliance with existing work orders no later than August 31, 1998. Compliance with the kitchen work orders is to be verified by an inspection to be conducted by the Division of Licenses & Consumer Services;

4. If the Division of Licenses & Consumer Services determines that the above conditions have been satisfied, a Lodging House license may be issued upon the application by the Kappa Chapter of the Sigma Alpha Mu Fraternity;

5. The Lodging House License shall be denied if the above conditions are not satisfied.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget – Your Committee, having under consideration the

Community Service Officer (CSO) Program to increase the number of Police Officer Standards and Training (POST) Board certified police officers in the City of Minneapolis, now recommends that the proper City Officers be authorized to execute a contract with employees hired as CSOs, whereby the City will provide tuition costs, in the amount of \$2,900, in the form of a loan (Petn No 263983). For every month of full-time service as a Minneapolis Police Officer, the loan shall be reduced by \$123, and at the end of two full years of service as a Minneapolis Police Officer, the loan shall be considered satisfied and paid in full. If the CSO leaves the Police Department prior to serving the two full years as a Police Officer, the CSO shall immediately pay to the City the entire balance owing on the loan.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to submit a grant application to the Minnesota State Department of Public Safety, Office of Traffic Safety Safe & Sober Grant, seeking \$40,000 to fund overtime for the Police Department's Traffic Unit and Park & Recreation Officers to increase driver safety and reduce accidents. (Petn No 263983)

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to submit a grant application to the United States Department of Justice, Office of Community Oriented Policing Services (COPS), seeking \$750,000 in federal funding by participating in the development of innovative strategies and comprehensive responses to prevent the production and distribution of methamphetamines (Crank) in Minneapolis, Hennepin County and the rest of the metropolitan area. (Petn No 263983)

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW – Your Committee, to whom was referred an ordinance amending Title 17, Chapter 427 of the Minneapolis Code of Ordinances relating to **Streets & Sidewalks: In General**, amending the ordinance by removing the five minute restriction on trains obstructing streets, alleys or bike trails/paths and, having held a public hearing thereon, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 3, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 5, 1998)

ORDINANCE 98-Or-076

By Mead

Intro: 7/17/98

Ref to: T&PW

1st Reading: 7/17/98

2nd Reading: 7/31/98

Amending Title 17, Chapter 427 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: In General.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 427.230 of the above-entitled ordinance be amended to read as follows:

427.230. Railroads blocking streets, bike trails/paths. No person shall obstruct any street, alley or bike trail/path by stopping across it in any railway locomotive or railway car, or railway cars, or trains of railway cars for any purpose for a time exceeding five (5) minutes.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998. J. Cherryhomes,
President of Council.

Approved August 3, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 5, 1998)

T&PW – Your Committee, having under consideration a traffic study of streets adjacent to Richard Green School requested by the Eighth Ward Traffic Task Force, now recommends that the Short, Elliot & Hendrickson School Zone Study (Petr No 263984) and its recommendations for improving pedestrian and school bus safety be endorsed, and that the proper City officers be authorized to establish a 20 MPH school zone speed limit area on 4th Av S between E 34th St and E 35th St with the installation of flashers on 4th Av S to indicate when the zone is in force. Approval of the speed zone is subject to funding by the Minneapolis Special School District #1.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration City participation in the Kenilworth Trail Project, now recommends that the proper City officers be authorized to transfer \$107,987.80 to the Minnesota Department of Transportation representing the City's share of construction funding for the Kenilworth Trail Project, payable from the PW – Transportation Capital Agency (4100-943-9464).

Your Committee further recommends that the Commissioner of Transportation be notified that the City supports award of the construction contract for the Kenilworth Trail Project to the low responsive bidder, Veit Companies, in the amount of \$539,939.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 3, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 5, 1998 and republished September 10, 1998)

T&PW – Your Committee, having under consideration construction of the Midtown Greenway Trail, now recommends that the proper City officers be authorized to enter into and execute an agreement with the Canadian Pacific Rail System to allow for the placement of the Midtown Greenway Trail on the easement that Canadian Pacific Rail System has on Hennepin County Regional Railroad Authority property. (Petr No 263984).

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends that the following persons be appointed as business and neighborhood representatives to the Lyn/Lake Parking Advisory Committee with terms beginning upon appointment and ending on December 31, 1999:

Business Representatives	Address	Business Affiliation	Neighborhood Representatives
Dick Nelson	2910 Lyndale Av S	AARCEE Party Rental	Terry Erickson, Whittier
John Meldahl	810 W Lake St	Bryant Lake Bowl	J. Braun, Lyndale
Troy Whetherhult	709 W Lake St	Jungle Theater	John Deitrich, Wedge
Greg Scott	2920 Lyndale Av S	GHQ	Jim Payne, CARAG
Denise Arambadjis	626 W Lake St	It's Greek to Me	
John Rohrman	711 W Lake St	John Rohrman Architects	
Jerry Malley (alternate)			

Your Committee further recommends that the Public Works Department shall be represented on the Advisory Committee by the City Engineer or his designee.

Adopted. Yeas, 13; Nays none.
Passed July 31, 1998.
Approved August 6, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends that the proper City officers be authorized to execute an agreement with the Minnesota Department of Transportation providing that the City receive \$882,346.26 for the provision of routine maintenance of certain portions of trunk highways and bridges within the corporate limits of the City. The term of the agreement is two years, for the period of July 1, 1997 through June 30, 1999.

Adopted. Yeas, 13; Nays none.
Passed July 31, 1998.
Approved August 6, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the Royalston Av Bridge Project and the need to increase the project consulting contract for design modification required by state standards, now recommends that the proper City officers be authorized to execute Supplemental Agreement #3 to Consultant Contract #C7119 with VanDoren Hazard Stallings, Inc. for a contract increase of \$3,145.30 and a revised contract total of \$218,888.17. Funds for the increase are available in the Engineering Design Agency (4100-600-6025) and are fully reimbursable through Municipal State Aid.

Adopted. Yeas, 13; Nays none.
Passed July 31, 1998.
Approved August 6, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the Dinkytown Bikeway Connection, a commuter bike route crossing the Mississippi River and connecting downtown to Dinkytown, now recommends that the proper City officers be directed to enter into an agreement with the Minnesota Department of Transportation (Mn/DOT) for the final bridge design of the remodeling of Railroad Bridge #9 as part of the Dinkytown Bikeway Connection Project. A lump sum payment of \$24,500 is to be made to Mn/DOT upon

execution of the agreement. Funds are available in the Engineering Design Agency (4100-600-6025) to be reimbursed from anticipated capital funds requested for 1999 in Capital Budget Request T51.

Adopted. Yeas, 13; Nays none.
Passed July 31, 1998.
Approved August 6, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the Hennepin/Lyndale Realignment Project and the need to include an additional retaining wall, now recommends approval to enter into an agreement with the Minnesota Department of Transportation in the amount of \$24,600 for the design of a retaining wall between Exit Ramps C and D from Westbound I-94 associated with the Hennepin/Lyndale Realignment. Funds are available in an existing appropriation for the Hennepin/Lyndale Realignment Project (4100-937-9372).

Adopted. Yeas, 13; Nays none.
Passed July 31, 1998.
Approved August 6, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the special assessment deferment application (Senior Citizen) submitted by Grace E. Franklin to defer a water service line repair special assessment (Levy 01028, Project 1998) in the principal amount of \$1,760.00 for payable 1998 and subsequent years on the property at 1061 23rd Av SE (PID 19-029-23-21-0039), now recommends that the application be approved as provided for in Minnesota Statutes, Sections 435.193 to 435.195 and Resolutions 80R-365 passed August 8, 1980 and 93R-134 passed April 16, 1993.

Adopted. Yeas, 13; Nays none.
Passed July 31, 1998.
Approved August 6, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the recommendation of the Nicollet Mall Advisory Board for a change in the number of members on their Board, now recommends passage of the accompanying

resolution amending Resolution 94R-357 relating to procedures for the Nicollet Mall Advisory Board to change the membership of the Committee from 11 to 12 regular voting members, with the new member to be an owner of one of the residential properties/condominium units located within the Nicollet Mall assessment zone.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-286

By Goodman

Amending Resolution 94R-357 entitled, "Defining procedures for the Nicollet Mall Advisory Board", passed November 23, 1994.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution be amended by deleting the second Resolving Clause and inserting in lieu thereof the following:

"Be It Further Resolved that the Nicollet Mall Advisory Board shall be composed of twelve voting members and two nonvoting exofficio members. At least two of the voting members must be members of nonprofit organizations who shall have one alternate who will attend when one or both members are absent. Nine of the twelve voting members, including the alternate, who serve without compensation or privileges, must be owners or occupants of property within the adjoining Nicollet Mall operating and maintenance assessment district and one of the nine voting members must be an owner of one of the residential properties/condominium units located within the Nicollet Mall assessment zone."

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998. J. Cherryhomes,
President of Council.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget – Your Committee, having under consideration the Cedar Isles Dean Neighborhood Traffic Management Plan which calls for traffic calming measures on Burnham Road, now recommends that the proper City officers be authorized to install speed humps on Burnham Road between Cedar Lake Parkway and the Burnham Road Bridge.

Your Committee further recommends passage of the accompanying resolution appropriating \$17,500 to the PW – Transportation Capital Agency to provide funding for the speed humps, which will be reimbursed from CIDNA Neighborhood Revitalization Program (NRP) funds.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-287

By Mead and Campbell

Amending The 1998 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing appropriation for the PW – Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9464) by \$17,500 and increasing the revenue source (4100-943-9464 – Source 3845) by \$17,500.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998. J. Cherryhomes,
President of Council.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the 29th St Midtown Greenway Project – Phase I and the construction bid for the project in the amount of \$2,297,233.35, now recommends that the proper City officers be authorized to execute an agreement for cost sharing of said project. The agreement will provide that Hennepin Community Works shall be responsible for an amount not to exceed \$962,000 and Hennepin County Regional Railroad Authority shall be

responsible for an amount not to exceed \$350,000. Intermodal Surface Transportation Efficiency Act (ISTEA) funds in the amount of \$1,016,376 have been secured for the project.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee recommends passage of the accompanying Resolution requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$1,375,000 for certain purposes other than the purchase of public utilities.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-288

By Mead and Campbell

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$1,375,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street renovation work in the Regina-Field and 42nd St E, Stevens Av S and 2nd Av S Areas, Special Improvement of Existing Street Nos 2941, 2943 and 2944, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998. J. Cherryhomes,
President of Council.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the existing contract for chiller replacement at the Public Service Center (OP #4714), now recommends that the proper City officers be authorized to execute change orders to Contract #C97-12158 with Doody Mechanical, Inc. providing for changes increasing the contract in an amount not to exceed \$14,925, for a new contract total not to exceed \$358,225.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the property at 1221 W Lake St (former J. Kline property) which has been used to temporarily house the Police Vehicle Maintenance and Radio Shop operations pending construction of permanent facilities for those operations as part of the Public Works Facilities Project, now recommends:

a) That the City-owned property at 1221 W Lake St is found to be not needed for City services, in accordance with Chapter 14.120 of the Minneapolis Code of Ordinances;

b) That said property be marketed by the Minneapolis Community Development Agency (MCDA) in accordance with the Permanent Review Committee and other City processes, following relocation of the Police Vehicle Maintenance and Radio Shop operations to the Royalston Maintenance Facility site on or about September 1, 1998;

c) That the matter of the sale of said property be referred to the City Planning Commission for their review; and

d) That Council action of December 23, 1993 (relating to a \$500,000 loan from the Municipal Parking Fund, 75-1270, to purchase the Hillcrest Property/Royalston Maintenance Facility site, with loan repayment to be from proceeds from the sale of the 1221 W Lake St property) be amended to allow forgiveness of said loan.

Your Committee further recommends that proceeds from the sale of said property be used to implement the Public Works Facilities Project (4100-923-9247).

Minn moved to divide the report so as to consider separately paragraph "d" and the final paragraph of the report. Seconded.

Adopted by unanimous consent.

Minn moved that the separated portion be referred back to the Ways & Means/Budget Committee. Seconded.

Adopted by unanimous consent.

Minn moved adoption of the balance of the report. Seconded.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the Clean Air Act requirement that the Minneapolis Water Works develop and submit a Risk Management Plan (RMP) for all facilities utilizing certain chemicals that are subject to program rules, now recommends that proper City officers be authorized to issue a Request for Proposals (RFP) seeking consultant services in the development of RMPs for the Minneapolis Fridley and Columbia Heights Filtration Plants per the requirements of the Environmental Protection Agency.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee recommends acceptance of the low bid received on OP #4917, submitted by M. C. Magney Construction, Inc. in the amount of \$427,900 for furnishing and delivering all labor, materials, equipment and incidentals necessary to accomplish construction of the Kenwood Pump Station, all in accordance with City specifications (Petr No 263986):

Your Committee further recommends that the proper City officers be authorized to execute a contract for said project, in accordance with City specifications.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration a report passed January 23, 1998, authorizing acceptance of the bid of Bennett Material Handling for furnishing and delivering an Industrial Forklift Truck to the Public Works Equipment Division (OP #4765), now recommends authorization to purchase an additional forklift truck in the amount of \$35,172, all in accordance with City specifications.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having received a report from the City Engineer regarding the Public Works Capital Budget (Petr No 263988) including the current status of the budget and requesting the following:

a) Passage of the accompanying resolution approving technical reallocation and appropriation adjustments relating to closing prior year projects; and

b) That the issue of recommending a three-year set aside totaling \$2.3 million (\$1.1 million in 1999, \$600,000 in 2000 and \$600,000 in 2001) in the adopted capital program for the purpose of addressing past project shortfalls and giving direction to the Capital Long-Range Improvements Committee (CLIC) to include those set asides in the capital program, be referred to the capital budget process;

T&PW – recommends approval.

W&M/Budget – recommends approval and further recommends that appropriate staff be directed to include in the 1999 Engineering Design Budget a line item, in the amount of \$200,000, for preliminary and general engineering design expenditures not related to projects approved in the 5-year Capital Improvement Program.

Mead moved to amend the report to approve the Ways & Means/Budget recommendation and to delete the recommendation of the Transportation & Public Works Committee. Seconded.

Adopted upon a voice vote.

Mead moved to amend the report to authorize summary publication of the resolution. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.
 Yeas, 13; Nays none.
 Passed July 31, 1998.
 Approved August 6, 1998. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk

Resolution 98R-289, approving technical reallocation and appropriation adjustments relating to closing prior year projects in the Capital Improvement Program, was passed July 31, 1998 by the City Council and approved August 6, 1998, by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

**RESOLUTION 98R-289
 By Mead and Campbell**

Amending "The Capital Improvement Appropriation Resolution of 1998" passed December 12, 1997, as amended.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by decreasing the following project appropriations in the Permanent Improvement Tax Fund (4100):

Fund	Ag	Org	Project Description	FISCOL Project	Appropriation Amount
4100	932	9322	1996 Residential Paving Storm Drains	96RES	\$18,835.97
4100	932	9322	St Mary's Tunnel Repair	96RHB	455.14
4100	932	9322	Upper Bridal Veil Creek ReRoute	BVLCK	153,120.34
4100	932	9322	1997 Residential Paving - Nicollet Island Storm Drain	NCISL	36,352.39
4100	937	9372	7th St N	A0104	11,807.36
4100	937	9372	Godfrey Parkway Realignment	A0305	14,929.34
4100	937	9372	8th St N - 1st to Hennepin	A1423	11,506.55
4100	937	9372	Douglas Ave - 1994 Residential Paving	A1684	7,771.07
4100	937	9372	6th Street North	A2194	12,378.39
4100	937	9372	11th St N. - 1st to Hennepin	A2243	14,795.39
4100	937	9372	Groveland: Hennepin Avenue to I94 Service Road	A2865	32,332.95
4100	937	9372	Lyndale Ave N - Lowry to 41st	A3425	89,790.91
4100	937	9372	1st Ave N - 4th to 6th	A3504	90.32
4100	937	9372	7th St. - 3rd Ave N Dist. Garage Area	A3509	68,389.21
4100	937	9372	Hiawatha Noise Wall	A6021	22,375.88
4100	937	9372	Hiawatha Ave Noisewalls	A6029	41,305.66
4100	937	9372	N Douglas West (1994 Residential Paving Program)	A7774	2,916.67
4100	937	9372	Shingle Creek East (1994 Residential Paving Program)	A8824	30,521.02
4100	937	9372	Pedestrian Curb cuts on State-Aid Streets	B0584	436,230.00

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4100	937	9372	Prior Year Assessed Project Funds	PRIOR	53,588.10
4100	937	9372	17th St Steven Square Overlook - Phase I	A0175	9,094.32
4100	937	9386	Garfield Avenue South Bridge over Soo Line	BR020	227,488.16
4100	937	9386	5th St SE Bridge	BR028	761,027.08
4100	943	9432	1997 RESIDENTIAL STREET PAVING	B5067	10,145.55
4100	943	9440	1997 RESIDENTIAL PAVING	B1549	18,112.97
4100	943	9440	1991 OVERHEAD SIGNALS	TB346	2,831.24
4100	943	9440	1992 TRAFFIC CAPITAL IMPROVEMENT	TB357	30,079.14
4100	943	9440	1994 NON-RESIDENTIAL PAVING	TB394	635,619.65
4100	943	9440	EMERSON & FREMONT AVE PAVING	TB405	1.59
4100	943	9440	CROSSWALKS WITH FLASHERS AT NOKOM & 28TH S	B1532	8,140.00
4100	943	9440	FRANCE & W 50TH TRAFFIC TEST	B1534	51.57
4100	943	9440	1994 TRAFFIC SIGNALS, SIGNAGE, IMPROVEMENTS	TB388	75.93
4100	943	9440	SIGNAL UNIVERSITY & 14TH AVE SE	TB413	6,621.67
4100	943	9440	DINKYTOWN DESIGN	TB414	128.15
4100	943	9440	PUBLIC WORKS NRP PROJECTS	B1542	51,000.00
4100	943	9440	CHANNELIZING ISLANDS	B1555	20,000.00
4100	943	9440	SIDEWALK INSTALLATION 5TH ST NE & 37TH NE	B1562	35,000.00
4100	943	9440	STANDISH ERICSSON INSTALL FL LGT AT CROSSWLK	B1575	13,000.00
4100	943	9464	LASALLE AVE SKYWAY	A6222	8,065.58
4100	943	9464	TRAFFIC CIRCLES W 43RD / VINCENT SOUTH	A6264	175.00
4100	943	9464	CEDAR ISLES DEAN TRAFFIC CALMING	A6259	848.70

Total Project Appropriation Closeouts

2,896,998.96

Be It Further Resolved that the bond fund balances in Funds 4C0, 4C7, 4J0, & 4L0 related to the closed projects above be redesignated to the following projects as indicated:

From Fund	FISCOL Project	From Proj Description	Amount	To FISCOL Project	To Proj Description	Amount
4C0	A3514	1st Ave N - 4th to Washington	\$2,308.29	96RES	1996 Res Paving	\$2,308.29
4C0	A2194	6th Street North	31,400.00	96RES	1996 Res Paving	31,400.00
4C0	A0104	7th St N	19,079.60	96RES	1996 Res Paving	19,079.60
4C0	96RES	1996 Res Paving				

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4C7	B1549	Storm Drains	15,584.44	96RES	1996 Res Paving	15,584.44
		1997 Res Paving				
		- Signals	18,112.97	96RES	1996 Res Paving	14,627.67
				B1522	E Jefferson	
					Res Paving	44.01
				97RES	1997 Res Paving	
					Storm Drains	3,441.29
4C7	B5067	1997 Res Paving			1997 Res Paving	
		- Lighting	10,145.55	97RES	Storm Drains	10,145.55
4C7	NCISL	1997 Res Paving			1997 Res Paving	
		- Nic Island Drain	36,352.39	97RES	Storm Drains	36,352.39
4C7	96RHB	St. Mary's Tunnel			1997 Res Paving	
		Repair	455.14	97RES	Storm Drains	455.14
4JO	96RES	1996 Res Paving			1997 Res Paving	
		- Storm Drains	3,251.53	97RES	Storm Drains	967.32
				A3323	Cedar Av at 3 rd St	2,284.21
4JO	A3425	Lyndale Av N				
		-Lowry to 41 st	10,560.21	A3323	Cedar Av at 3 rd St	10,560.21
4LO	A1423	8 th St N				
		-1 st to Henn	29,000.00	A3323	Cedar Av at 3 rd St	19,723.20
				B5064	Healy Block low	
					level street lights	667.44
				B5065	5 th Av S low level	
					street lights	806.85
				97RES	1997 Res Paving	7,802.51
4JO	BR028	5 th St SE Bridge	130,346.82	97RES	1997 Res Paving	30,387.49
				BR020	Garfield Av S	
					Bridge	99,959.33

Total Bonds to Redesignate

306,596.94

Be It Further Resolved that the Board of Estimate & Taxation be requested to concur with the above bond fund reallocation.

Be It Further Resolved that the projects listed below are either completed or in progress and have PI Tax balances or other revenues identified as available for reallocation or supplemental appropriations as follows:

FISCOL Project	Project Description:	Amount Available
01059	Johnson St NE - I35W to 18th Ave (NE Retail)	\$22,680.00
97RES	1997 Residential Paving	6,810.00
A0256	Farmer's Market Roof Replacement - Fund 6200 transfer	100,000.00
A2895	29th Ave SE - Weeks to Como - U of M	15,269.00
TB701	1995 Ramp Restoration - Fund 7500 transfer	8,856.00
A2243	11th St N - 1st to Hennepin - Downtown West Commercial	26,007.71
A3336	Central /Broadway Railroad Bridge	2,595.38
A5330	Shingle Creek at Thomas Ave North - Wetland	31,770.77
A5333	Dunwoody Boulevard MSA - Storm Drain	11.96

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A6021	Hiawatha Noise Wall	22,375.88
A6029	Hiawatha Avenue Noise Walls	41,305.66
A6222	Lasalle Ave Skyway	93,513.52
A8824	Shingle Creek East - 1994 Residential Paving Program	2,335.58
B0584	Pedestrian Curb Cuts on State Aide Streets	40,500.93
BR022	Lake Street Bridge @ 46th Avenue	6,827.50
BVLCK	Upper Bridal Veil Creek Re-route	48,869.00
PRIOR	Prior Year Assessed Project Funds	53,588.10
TB346	1991 Overhead Signals	17,682.26
TB356	1992 New Traffic Signals	45,535.74
TB357	1992 Traffic Capital Improvements	120,860.76
TB394	1994 Non-Residential Paving	218,548.43
Total Revenue to reallocate		925,944.18

Be It Further Resolved that the PI tax and other revenue balances above be reallocated to the following projects as indicated:

FISCOL Project	Project Description:	Amount Allocated
97GFD	1997 General Fund Overhead Shortages in Transportation	\$33,280.91
21517	2nd St N - Hennepin to 2nd Ave (N Loop)	28,000.00
	Johnson Street NorthEast - MSA (183-11)	
	- Sewer	10,500.00
BR020	Garfield Ave S Bridge	45,996.51
	Johnson St NE - I35W to 18th Ave (NE Retail)	55,000.00
97RES	1997 Residential Paving	6,810.00
A0256	Farmer's Market Roof Replacement	100,000.00
A2895	29th Ave SE - Weeks to Como	41,478.54
TB701	1995 Ramp Restoration	8,856.00
A0305	Godfrey Parkway Realignment	5,941.55
A2865	Groveland: Hennepin Avenue to I94 Service Road	2,197.54
A3509	7th St. - 3rd Ave N Dist. Garage Area	58,873.68
A5339	Emerson/Fremont/W Broadway-44th Ave N MSA	19,275.00
A5340	Groveland, Hennepin Avenue - I-94 MSA	41,835.74
A5341	Lyndale Avenue North MSA	
	SAP 141-342-05	17,491.94
A6299	Emerson Ave S-Kenwood /Groveland-Northrup Lane	63,597.96
BR013	Royalston Temporary Bridge over CNW Tracks	140,152.49
TB373	Cedar at 3rd St South – Signals	29,236.68
TB391	Traffic Signal W 58th St & 121	46,580.36
TB399	Signal 39th & Chicago South	18,401.72
TB405	Signals - Emerson & Fremont Ave Paving Project	59,842.91
TB406	Signals - Groveland Ave Paving	1,820.64

Total Revenue reallocated	925,944.18
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Fund	Ag	Org	FISCOL Project	Project Description	Approp Amount	Funding Source
4100	932	9322	97RES	1997 Residential Paving Storm Drains	51,362.00	Redesignated Bonds above
4100	932	9322	01059	Johnson Street NorthEast - MSA (183-11) - Sewer	10,500.00	Reallocated Revenue above
4100	937	9372	96RES	1996 Residential Paving	83,000.00	Redesignated Bonds above
4100	937	9372	A3323	Cedar Ave at 3rd St	28,153.00	Redesignated Bonds above
4100	937	9372	97RES	1997 Residential Paving	38,190.00	Redesignated Bonds above
4100	937	9372	97RES	1997 Residential Paving	6,810.00	FEMA Flood Relief
4100	937	9372	A2895	29th Av SE - Weeks to Como	15,269.00	University of MN
4100	937	9372	A2895	29th Av SE - Weeks to Como	26,209.00	Reallocated Revenue above
4100	937	9372	21517	2nd St N - Hennepin to 2nd Ave (N Loop)	28,000.00	Reallocated Revenue above
4100	937	9372	01059	Johnson St NE - I35W to 18th Ave (NE Retail)	22,680.00	FEMA Flood Relief
4100	937	9372	01059	Johnson St NE - I35W to 18th Ave (NE Retail)	32,320.00	Reallocated Revenue above
4100	937	9372	22106	Emerson Av - Broadway to 33rd MSA Paving	90,774.00	Reallocated Revenue above
4100	943	9440	B1522	E Jefferson Residential Paving	44.00	Redesignate Bonds above
4100	943	9432	B5064	Healy Block Low Level St Lighting	667.00	Redesignated Bonds above
4100	943	9432	B5065	5th Av S Low Level St Lighting	807.00	Redesignated Bonds above
4100	943	9440	97GFD	1997 Gen Fund Overhead Shortages-Transportation	33,281.00	Reallocated Revenue above
4100	943	9464	TB701	1995 Ramp Restoration	8,856.00	Transfer from Fund 7500

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From Fund	Ag	Org	Object	Description	Budget Amounts
7500	127	1270	9045	Transfer to Capital Projects Funds	\$ 8,856.00
6200	127	1270	9045	Transfer to Capital Projects Funds	100,000.00

Total Transfer Appropriation Increases 108,856.00

To Fund	Ag	Org	Rev Source	Description	
4100	943	9464	3850	Transfer from Enterprise Funds	\$ 8,856.00
4100	923	9242	3860	Transfer from Internal Service Funds	100,000.00

Total Transfer Revenue Budget Increases 108,856.00

Adopted. Yeas, 13; Nays none.
 Passed July 31, 1998. J. Cherryhomes, President of Council.
 Approved August 6, 1998. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget – Your Committee, having under consideration an audit conducted by the United States Department of Labor to verify proper classification of exempt or non-exempt employees in the Identification Division of the Police Department, in accordance with the Fair Labor Standards Act (FLSA), now recommends approval to classify Forensic Scientist I, II and III positions as non-exempt.

Your Committee further recommends approval of the proposed settlement as back overtime pay for said positions, in the amount of \$16,689, payable from the General Fund – Police Department Agency (0100-400).

Adopted. Yeas, 13; Nays none.
 Passed July 31, 1998.
 Approved August 6, 1998. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends approval for the City to participate in the Cities Labor Management Partnership Program, designed to structure joint labor-management cooperation at every level of government, with the understanding that there will be no cost to the City and that other participating cities throughout the country have found the program to be beneficial.

Adopted. Yeas, 13; Nays none.
 Passed July 31, 1998.
 Approved August 6, 1998. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, to whom was referred back from Council on July 17, 1998, the appropriate pay rate for Rocco Forte', the newly appointed Fire Chief for the City of Minneapolis, and a request that he be paid at Step 2 of the Fire Chief wage scale, and having considered placing Forte' at the Job Rate for said position, as he has had previous experience in the Fire Department and can be immediately effective in assuming his new duties, at an annual salary of \$95,732, to be retroactively effective July 1, 1998 (his appointment date as Fire Chief), now recommends that said request be **sent forward without recommendation**.

Campbell moved to amend the report to delete the language, "sent forward without recommendation" and to insert in lieu thereof, the word, "approved." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 7; Nays, 6 as follows:

Yeas – Thurber, Campbell, Biernat, Niland, Herron, Mead, Cherryhomes.

Nays – Johnson, Ostrow, Goodman, Colvin Roy, Minn, McDonald.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the lawsuit filed against the City by Anne Himell be settled and be payable to Anne Himell and her attorney, Timothy P. McCarthy, in the amount of \$5,000, payable from 6900-150-1500-6070.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a legal services agreement with Jeffrey R. Brauchle to provide condemnation services relating to the Lyn/Lake Municipal Parking Lot Project, at an hourly rate of \$115 for attorneys and \$50 for paralegals, in the amount of \$54,000, to be payable from project funds, with the appropriate fund number to be identified.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute contracts with the following organizations for construction testing and inspection services relating to the Convention Center Expansion Project, to ensure adequate quality control, to be payable from Permanent Improvement Projects – Convention Center Site (4100-975-9751):

a) American Engineering Testing, in an amount not to exceed \$800,000 for the

Convention Center portion of the project; and

b) Braun Intertec Corporation, in an amount not to exceed \$90,000 for the Convention Center Parking Garage.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute Amendment #1 to Contract #12662 with the Convention Center Design Group to reflect revised billing rates, with no increase in the contract amount.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to negotiate and execute a Project Labor Agreement with the Minneapolis Building Construction Trades Council to facilitate the timely and efficient completion of the parking facility and the Convention Center expansion, as more fully set forth in Petn No 263995 on file in the Office of the City Clerk.

Your Committee further recommends passage of the accompanying Resolution relating to adoption of a Project Labor Agreement for the Minneapolis Convention Center Expansion Project.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 3, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 5, 1998)

RESOLUTION 98R-290

By Campbell

Relating to adoption of a Project Labor Agreement for the Minneapolis Convention Center Expansion Project.

Whereas, the City of Minneapolis finds that project labor agreements with unions representing experienced and skilled construction workers have generally proven to

be of economic benefit to property owners, including states and their subdivisions and state and local governmental agencies, for their major construction, alteration or repair projects, particularly those which extend for a substantial period of time, involve a substantial number of contractors and subcontractors and/or a substantial number of trades and craft workers, and those that have a substantial dollar value and/or are designed to meet the needs or special circumstances of a specific project; and

Whereas, project labor agreements with such unions facilitate the timely and efficient completion of such projects by:

a) making available a ready and adequate supply of highly trained and skilled craft workers; and

b) permitting public owners and contractors to accurately determine project labor costs at the outset and to establish uniform working conditions for all construction crafts for the duration of the project; and

c) allowing for the negotiation of specialized terms and conditions which because of the particular circumstances relating to a specific project, may be required for the effective construction of the project; and

d) providing a negotiated commitment which is a legally enforceable means of assuring labor stability and labor peace over the life of the project; and

e) avoiding work stoppage following expiration of a collective bargaining agreement between a union and an employer performing work on the project; and

f) facilitating equal employment opportunities on the project; and

Whereas, in view of the benefits described above, the use of such project labor agreements generally results in cost savings for the construction of the project; and

Whereas, the development of the Minneapolis Convention Center expansion and parking facility at the earliest possible date is in the best interest of the public and the City of Minneapolis, in order to fulfill the Convention and Tourism demands and purposes, as demonstrated by the various marketing studies of record; and

Whereas, the City of Minneapolis finds the use of such a project labor agreement for construction of the expansion of the Minneapolis Convention Center, including the parking facility, is necessary and in the best

interest of the public and the City of Minneapolis in order to meet the construction time schedules for the project to ensure that the project will be completed with highly qualified workers; to ensure that the project will meet the highest standards of safety and quality; to ensure that there are peaceful, orderly and mutually binding procedures for resolving labor issues; to avoid labor disputes or conflicts; and to promote overall stability throughout the duration of the project by providing legally enforceable guarantees that the project will be carried out in an orderly and timely manner without strikes, lockouts, or slowdowns, all of which allow the City of Minneapolis to more accurately predict the cost and to reduce the cost of the Convention Center Expansion Project and parking facility;

Now, Therefore Be It Resolved by The City Council of The City of Minneapolis:

That the proper City officers are authorized to execute a Project Labor Agreement with the Minneapolis Building and Construction Trades Council.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998. J. Cherryhomes, President of Council.

Approved August 3, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 5, 1998)

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a contract with Bolton and Menk, Inc, to provide professional surveying services for the Convention Center Expansion Project, in an amount not to exceed \$400,000, payable from Permanent Improvement Projects – Convention Center Site (4100-975-9751).

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends acceptance of a grant from the Minnesota Department of Trade and Economic Development for the Green Institute Phillips Neighborhood Job Creation Project, in the amount of \$1,500,000, to assist in the construction of the Phillips Eco-Enterprise

Center, to be located on Hiawatha Avenue between 28th and 29th Streets.

Your Committee further recommends that the proper City officers be authorized to execute a grant agreement with the State and to execute all necessary documents required to complete the process.

Your Committee further recommends that once all requirements have been met, the proper City officers be authorized to execute a contract with the Green Institute to implement the Phillips project, to include finalizing an Affirmative Action Plan for Civil Rights and a Job Linkage Plan for Minneapolis Employment and Training (METP).

Your Committee further recommends passage of the accompanying resolutions:

a) authorizing execution of the required grant agreement with the State; and

b) increasing the Non-Departmental Agency Appropriation by \$1,500,000.

Campbell moved to amend the report to add the following language at the end of paragraph 2:

"including appropriate agreements with the Green Institute." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 3, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 5, 1998)

RESOLUTION 98R-291

By Campbell

Authorizing execution of a grant agreement with the State of Minnesota for the Green Institute Phillips Neighborhood Job Creation Project.

Now, Therefore Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis has legal authority to execute a grant agreement with the Minnesota Department of Trade and Economic Development for the Special Appropriation entitled Green Institute Phillips Neighborhood Job Creation Project.

Be It Further Resolved that the proper City officers be authorized to execute such grant

agreement(s) and amendment(s) as are necessary to implement the project on behalf of the City of Minneapolis.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998. J. Cherryhomes,
President of Council.

Approved August 3, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 5, 1998)

RESOLUTION 98R-292

By Campbell

Amending The 1998 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Non-Departmental Agency in the Grants – Other Fund (0600-123-1232) by \$1,500,000 and increasing the Non-Departmental Agency revenue estimate in the Grants – Other Fund (0600-123-1232-Source 3215) by \$1,500,000.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998. J. Cherryhomes,
President of Council.

Approved August 3, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 5, 1998)

W&M/Budget – Your Committee, to whom was referred back from Council on July 17, 1998, the matter of extending the City's contract with Wallace Dube to provide part-time maintenance and warranty management services at the Minneapolis Convention Center, now recommends that the proper City officers be authorized to execute Amendment #2 to Contract #8141 with Wallace Dube, to provide said services, extending the contract for an additional two years, for the period from July 1, 1998 through June 30, 2000 and providing for a rate of pay, in the amount of \$48 per hour, with an increase of \$1 per hour at each contract anniversary date, payable from the Convention Center Fund – Convention Center Operations (0760-865-865A), as more fully set forth in Petn No 263994 on file in the Office of the City Clerk.

Adopted. Yeas, 13; Nays none.
Passed July 31, 1998.
Approved August 6, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk

W&M/Budget – Your Committee, having under consideration payment of the City's semi-annual assessment to the State of Minnesota Department of Labor and Industry, Special Compensation Fund, now recommends that the proper City officers be authorized to provide said payment (which is based on a percentage of the Workers Compensation indemnity payments made by the City during the period from January 1, 1998 through June 30, 1998), in the amount of \$268,443.54, pursuant to Minnesota Statutes, Section 176.129 and as more fully set forth in Petn No 263996.

Adopted. Yeas, 13; Nays none.
Passed July 31, 1998.
Approved August 6, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends acceptance of the only bid received on OP #4907, Petn No 263996, submitted by Mid West Industrial Service Corporation, in the amount of \$59,750, for furnishing and delivering all labor, materials, equipment and incidentals necessary to accomplish repairs to the bronze light poles on top of the domes for the Minneapolis Convention Center, all in accordance with City specifications.

Your Committee further recommends that the proper City officers be authorized to execute a contract for said service.

Adopted. Yeas, 13; Nays none.
Passed July 31, 1998.
Approved August 6, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration the Minnesota City Grant intended to provide funds for curfew, truancy and youth diversion activities, now recommends approval to submit a plan to the

State of Minnesota (as a requirement for receipt of said grant) verifying the use of said funds to be used to support the operations of the Curfew Truancy Center and additional truancy prevention program(s).

Your Committee further recommends acceptance of said Minnesota City Grant funds, in the amount of \$185,000, for the period from July 1, 1998 through December 31, 1998.

Your Committee further recommends passage of the accompanying resolution increasing the Neighborhood Services Agency Appropriation by \$185,000.

Adopted. Yeas, 13; Nays none.
Passed July 31, 1998.
Approved August 6, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 98R-293 **By Campbell**

Amending The 1998 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Neighborhood Services Agency in the Grants – Other Fund (0600-860-8605) by \$185,000 and increasing the Neighborhood Services Agency revenue estimate in the Grants – Other Fund (0600-860-8605-Source 3215) by \$185,000.

Adopted. Yeas, 13; Nays none.
Passed July 31, 1998. J. Cherryhomes,
President of Council.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P – Your Committee, to whom was referred an ordinance amending Title 20, Chapter 522 of the Minneapolis Code of Ordinances relating to Zoning Code: In General, concerning access to commercial property, now recommends that the related findings set forth in Petn No 264002 be adopted and that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 13; Nays none.
Passed July 31, 1998.
Approved August 6, 1998. S. Sayles
Belton, Mayor.
Attest: M Keefe, City Clerk.

ORDINANCE 98-Or-077

By Minn

Intro & 1st Reading: 6/12/98

Ref to: Z&P

2nd Reading: 7/31/98

**Amending Title 20, Chapter 522 of the
Minneapolis Code of Ordinances relating to
the Zoning Code: In General.**

The City Council of The City of Minneapolis
do ordain as follows:

Section 1. That Section 522.190 of the
above entitled ordinance be amended to read
as follows:

522.190. Access restricted. No land which
is located in a residence district or office
residence district shall be used for driveway,
walkway or access purposes to any land which
is located in a business or manufacturing
district, except as allowed by Section 538.130,
or used for any purpose not permitted in a
residence district or office residence district.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998. J. Cherryhomes,
President of Council.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M Keefe, City Clerk.

Z&P – Your Committee concurs in the
recommendation of the Planning Commission
to approve the application of Michael Hudalla
dba Trackstar Motorsports Inc to rezone the
southerly and westerly portions of property at
2610 East 32nd Street from the M2-2 to the
B3C-1 District to permit a motorcycle sales
showroom, coffee shop, magazine publishing
office and tailor shop (P-1035) and to adopt the
related findings set forth in Petn No 264002.
(63809).

Your Committee further recommends
passage of the accompanying amendment to
the Zoning Ordinance.

McDonald moved that the above report be
postponed. Seconded.

Adopted upon a voice vote.

Z&P – Your Committee concurs in the
recommendation of the Planning Commission
to approve the application of William J Senkyr
to rezone property at 4817-19 Chicago Av S
from the R2B to the B1-1 District to permit
office use (P-1034) and to adopt the related
findings set forth in Petn No 264002. (63810).

Your Committee further recommends
passage of the accompanying amendment to
the Zoning Ordinance.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M Keefe, City Clerk.

ORDINANCE 98-Or-078

By McDonald

1st & 2nd Readings: 7/31/98

**Amending Title 20, Chapter 536 of the
Minneapolis Code of Ordinances relating to
Zoning Code: Zoning Districts and Maps
Generally.**

The City Council of The City of Minneapolis
do ordain as follows:

Section 1. That Section 536.20 of the
above-entitled ordinance be amended by
changing the zoning district for the following
parcel of land, pursuant to MS 462.357:

A. That part of Lot 20, Block 7,
“Shenandoah Terrace”, Henn. Cty, MN. (4817-
19 Chicago Ave. S. – Plate 32) to the B1-1
District.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998. J. Cherryhomes,
President of Council.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M Keefe, City Clerk.

Z&P – Your Committee concurs in the
recommendation of the Planning Commission
to approve the application of Alive In Christ
Ministries to rezone the property at 2010
Fremont Av N from the B3SP-2 to the B3S-1
District to permit a church in a building
previously used as a book storage facility
(P-1037) and to adopt the related findings set
forth in Petn No 264002. (63811).

Your Committee further recommends passage of the accompanying amendment to the Zoning Ordinance.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M Keefe, City Clerk.

ORDINANCE 98-Or-079

By McDonald

1st & 2nd Readings: 7/31/98

Amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 536.20 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of Lot 10, Block 34, Highland Park Addn. to Mpls. (2010 Fremont Ave. N. – Plate 8) to the B3S-1 District.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998. J. Cherryhomes,
President of Council.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M Keefe, City Clerk.

Z&P – Your Committee, to whom was referred back an ordinance amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement, establishing a variance for two-family dwellings in the R2B district, now recommends that said ordinance be given its second reading for amendment and passage. (Petr No 263959)

Ostrow moved a substitute ordinance, on file in the City Clerk's Office under Petr No 264008. Seconded.

Lost upon a voice vote.

The report was adopted.

Yeas, 12; Nays 1, as follows:

Yeas – Johnson, Thurber, Campbell,
Biernat, Niland, Goodman, Colvin Roy, Herron,
Mead, Minn, McDonald, Cherryhomes.

Nays – Ostrow.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M Keefe, City Clerk.

ORDINANCE 98-Or-080

By Mead

Intro & 1st Reading: 7/25/97

Ref to: Z&P

2nd Reading: 7/31/98

Amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 525.520 (2) of the above-entitled ordinance be amended to read as follows:

525.520. Authorized variances. Variances from the regulations of this zoning ordinance shall be granted by the board of adjustment only in accordance with the standards in section 525.500, and may be granted only in the following instances, and in no others:

(2) To vary the lot area or lot width requirements up to ten (10) percent, except for the following uses, where the maximum variance of ten (10) percent shall not apply:
a. To vary the lot area or lot width requirements up to fifty-five (55) percent for newly constructed two (2) family dwellings located in the R2B District, provided the surrounding properties are primarily two (2) family dwellings developed on lots similar in size to the proposed development.

Adopted. Yeas, 12; Nays 1, as follows:

Yeas – Johnson, Thurber, Campbell,
Biernat, Niland, Goodman, Colvin Roy, Herron,
Mead, Minn, McDonald, Cherryhomes.

Nays – Ostrow.

Passed July 31, 1998. J. Cherryhomes,
President of Council.

Approved July 31, 1998. S. Sayles Belton,
Mayor.

Attest: M Keefe, City Clerk.

Z&P - Your Committee, to whom was referred back the matter of a final declaration and decision on the Environmental Assessment Worksheet for the Block E development, now recommends that the City Council order the

development of an Environmental Impact Statement and, therefore, make a Positive Declaration. Findings of Fact and Record of Decision to support a Positive Declaration are set forth in Petn No 264001 and are made a part of this report by reference.

Campbell moved that the above report be amended in the first sentence by deleting the words "order the development of an Environmental Impact Statement and, therefore, make a Positive Declaration" and insert in lieu thereof the words "find that an Environmental Impact Statement is not required and, therefore, make a Negative Declaration"; and in the second sentence by deleting the words "Positive Declaration" and inserting in lieu thereof the words "Negative Declaration". Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 10; Nays, 3 as follows:

Yeas - Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Colvin Roy, Herron, Mead, Cherryhomes.

Nays - Goodman, Minn, McDonald.

Passed July 31, 1998.

Approved August 3, 1998. S. Sayles
Belton, Mayor.

Attest: M Keefe, City Clerk.

(Published August 13, 1998)

Motions

Ostrow, Chair of the Claims Committee, moved concurrence in the reports received from the City Attorney (Petn No 264003) recommending payment of workers' compensation to various employees and to the State Fund, and for payment of bills and professional services rendered claimants or employees injured on the job. Seconded.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Goodman moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Kurt Eckstrom for a residential block event held July 22, 1998, between the hours of 6 and 9 p.m. on Russell Av S from Cedar Lake Rd to Laurel Av, having approval granted by Public

Works and the Police departments to grant said waiver. Seconded.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

McDonald moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Jayn Lindquist for a residential block event to be held Tuesday, August 4, 1998, between the hours of 6 and 10 PM on Blaisdell Avenue between 35th and 36th Streets West, having approval granted by Public Works and the Police departments to grant said waiver. Seconded.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Cherryhomes moved to discharge the Public Safety & Regulatory Services Committee from further consideration of the Antique Licenses for Jill Ott, Jeff Seck, and Hennepin Avenue Antiques Center Inc, dba Cornerstone Antiques. Seconded.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Cherryhomes moved to grant the applications of Jill Ott, dba Periwinkle Antiques, 400 1st Av N, and Jeff Seck, dba Jeff's Vintage, 400 1st Av N, for Antique Mall Dealer Licenses, to expire July 1, 1999, subject to final inspection and compliance with all provisions of the applicable codes and ordinances. Seconded.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Cherryhomes moves to grant the application of Hennepin Avenue Antiques Center, Inc, dba Cornerstone Antiques, 400 1st

Av N, for an Antique Mall Operator License, to expire July 1, 1999, subject to final inspection and compliance with all provisions of the applicable codes and ordinances. Seconded.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 3, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 5, 1998)

Goodman moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Julie Voight/Walker Art Center for a residential block event to be held June 28, 1998, between the hours of 1 and 4 p.m. on Mount Curve alongside Thomas Lowry Park (No. side) from Douglas to Colfax Avenues, having approval granted by Public Works and the Police departments to grant said waiver. Seconded.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Motion by Goodman to appoint representatives to the Avenue of the Arts Implementation Board that was established by the City Council on May 22, 1998.

Goodman moved to postpone the above motion. Seconded.

Adopted upon a voice vote.

Thurber moved that the positions on the Down Town Library Implementation Committee established by the Council June 26, 1998, be filled by the following individuals:

Nicollet Mall Advisory Board: Bob Greenberg, President, 614 Company, 81 S. 9th, Suite 340, Minneapolis 55402;

Downtown Council: Karen Baker, President, Skyway Publications, 15 S. 5th St, Suite 800, Minneapolis 55402;

Downtown Residents: Ken Moritz, 2950 Dean Pkwy, Minneapolis 55416;

Chris Oshikata, 708 N. 1st St., #214, Minneapolis 55404.

By the above motion, the Council appointees that have not been identified will be filled and the Implementation Committee will be complete. Seconded.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Campbell moved to discharge the Ways & Means/Budget Committee from further consideration of the Yellow Brick Road Project. Seconded.

Adopted by unanimous consent.

Campbell moved that implementation of a crime and safety initiative in the Phillips neighborhood, the Yellow Brick Road Project, be approved, and a corridor be specifically marked to allow school children, vulnerable adults and other residents to enjoy safe access to work, specified schools and community centers, with the understanding that a transportation system along the corridor will also be available using Ryder bus services in the area; and further, that issuance of Fund Availability Notice (FAN) #08-1 to Project For Pride In Living, Inc (PPL), under Master Contract #10011, for implementation of said project, be approved, for the period from January 1, 1998 through December 31, 1998, in the amount of \$10,000, payable from the Grants – Other Fund – Neighborhood Services (0600-860-8605). Seconded.

Adopted. Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 3, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 5, 1998)

Unfinished Business

Raze building: 3044 10th Av South
(Postponed 3/27/98, PS&RS).

Herron moved to continue postponement. Seconded.

Adopted upon a voice vote.

Motion by Cherryhomes that a new standing committee of the City Council be created entitled "Health and Human Services" to be chaired by Council Member Herron with meeting dates, times, and membership to be considered at the next regular City Council meeting.

Cherryhomes moved to continue postponement. Seconded.

Adopted upon a voice vote.

T&PW & W&M/Budget – Your Committee, having received a report from the Public Works and Finance Departments regarding the City's Central Stores, evaluating the City's costs, examining the overhead charges and evaluating options to best meet the City's need for central stores services, now recommends adoption of the 1998 Central Stores Redesign Project Report (Petn No 263943).

Your Committee further having under consideration the following redesign recommendations:

1. The overhead rate shall be increased from the current rate of 17% to balance the Central Stores portion of the Public Works – Stores Fund. The 1999 budget shall include a financial plan to resolve deficits on both a budget basis and cash basis over as few years as possible, with the Public Works Department directed to submit a 1999 decision package outlining options for implementing the rate increase;

2. The City shall continue the office supply function at the Central Stores;

3. The City shall make use of Central Stores mandatory for all office supplies utilizing the City's master contract, currently with Office Depot;

4. The following operational changes shall be made:

a) A major effort shall be undertaken to educate City departments on the benefits of utilizing the Central Stores;

b) The Public Works Department shall establish a policy that requires all Public Works Divisions to utilize Central Stores for purchasing their supplies;

c) Central Stores shall work with their customers to reduce the total amount of inventory and also the length of time goods are held in inventory;

5. Central Stores shall implement bar coding systems at all its store facilities;

6. A pilot project will be conducted with Central Stores utilizing electronic mail (e-mail) for customer orders;

7. Central Stores shall monitor the Park Board's experiment on the use of the stock request function in the Financial Information System for the City of Lakes (FISCOL) to determine when or if such a function should be implemented at Central Stores;

8. The potential use of procurement cards will be reviewed at a later date by the Procurement Division.

T&PW – now recommends that the proper City officers be authorized to proceed with implementation of redesign recommendations listed as Items 1-8.

W&M/Budget – now recommends that the proper City officers be authorized to proceed with implementation of redesign recommendations listed as Items 1 and 4-8.

Your Committee further recommends that Central Stores Redesign staff return to the Ways & Means/Budget Committee at the appropriate time with options for Items 2 and 3.

Mead moved to approve the recommendation of the Transportation & Public Works Committee and to delete the recommendation of the Ways & Means/Budget Committee. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed July 31, 1998.

Approved August 6, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Niland moved to delete his notice of intent to discharge the Community Development and Intergovernmental Relations Committee from further consideration of the Affordable Housing Policy. Seconded.

Adopted upon a voice vote.

New Business

Biernat offered an Ordinance amending Title 20, Chapter 542 of the Minneapolis Code of Ordinances relating to *Zoning Code:*

Manufacturing Districts, which was given its first reading and referred to the Public Safety & Regulatory Services Committee for a public hearing August 5, 1998, at 1:30 p.m. (Setting hours open to the public for all uses located in the industrial districts, with exceptions).

Biernat offered an Ordinance amending Title 13, Chapter 350 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Recycling Activities and Salvage Yards*, which was given its first reading and referred to the Public Safety &

Regulatory Services Committee for a public hearing August 5, 1998, at 1:30 p.m. (changing definitions; increasing the annual license fee; adding prohibited acts; and addressing remedies available for violations, including administrative fines).

Campbell moved that when we adjourn, we adjourn to Thursday, August 13, 1998, at 2:00 p.m. in Room 317 City Hall for the Mayor's Budget Address. Seconded.

Adopted. Yeas, 13; Nays none.

Adjourned.

Merry Keefe,
City Clerk.
98-6940